

Pay Policy Statement March 2022

This document is available in Welsh



Approvals	Date
Approved by Full Council	21 February 2018

Version Control

Version No.	Key Changes	Agreed By/ Date	Issue Date
V. 1	Introduction of Pay Policy Statement	Council	28 March 2012
V. 2	Annual review of Pay Policy Statement	Council	18 March 2013
V. 3	Annual review of Pay Policy Statement	Council	26 March 2014
V. 4	Annual review of Pay Policy Statement	Council	25 March 2015
V. 5	Annual review of Pay Policy Statement	Council	23 March 2016
V. 6	Annual review of Pay Policy Statement	Council	22 February 2017
V. 7	Annual review of Pay Policy Statement	Council	21 February 2018
V. 8	Annual review of Pay Policy Statement & amendments to reflect new senior management structure	Council	27 March 2019
V. 9	Annual review of Pay Policy Statement	Council	July 2020
V. 10	Annual review of Pay Policy Statement	Council	26 May 2021
V.11	Annual review of Pay Policy Statement	Council	23 February 2022

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1. Purpose

This is our annual pay policy statement for the period 1 April 2021 to 31 March 2022. Approved by Council on 23 February 2022

The publication of this Pay Policy Statement provides transparency with regard to the Council's decision making on pay of its employees and in particular, decision making in relation to senior pay. (This excludes those employed under the delegated budget in local authority schools) by identifying:

- the method by which salaries of all employees are determined;
- the detail and level of remuneration of its most senior staff i.e. 'Chief Officers', as defined by the relevant legislation;
- the Committee(s)/Panel responsible for ensuring the provisions set out in this statement are applied consistently throughout the Council and recommending any amendments to Council;
- the approach to the publication of and access to information relating to all aspects of the remuneration of Chief Officer;
- the Council's policy towards the remuneration of its lowest paid employees and the relationship between the remuneration of its Chief Officers and other employees.

The Council is a large complex organisation with a multi-million-pound budget. It has a wide variety of functions and provides and/or commissions a range of essential services. The general approach to remuneration levels may therefore differ from one group of employees to another to reflect specific circumstances at a local, Welsh or UK national level. It will also need to be flexible when required to address a variety of changing circumstances whether foreseeable or not.

2. Scope

This statement applies to all Wrexham County Borough Council employees appointed under the following terms and conditions agreed with:

- The National Joint Council for Local Government Services;
- The Joint Negotiating Committee for Local Authority Craft and Associated Employees;
- The Joint Negotiating Committee for Youth and Community Workers;
- The Soulbury Committee;
- The Joint Negotiating Committee for Chief Officers;
- The Joint Negotiating Committee for Chief Executives.

This statement does not apply to employees appointed by a School Governing Body as the School's Pay Policy is determined by the relevant Governing Body.

3. Background and Principles

The Council's current Organisation Development and Workforce Strategy is for the period 2017 - 2022 and was approved by Executive Board on 24 October 2017. This sets out our vision, purpose and priorities in relation to the workforce and describes our intentions to support the delivery of services that help us achieve our goals and priorities in the Council Plan. We have a framework of integrated workforce policies, procedures and plans that supports our employees to deliver services that ensure

Wrexham and its people are supported and enabled to fulfil their potential, prosper and achieve a high standard of well-being.

The Council's Employee Pay and Reward Policy was approved by Executive Board on 9 December 2014, This policy seeks to address the aforementioned requirement by describing the Council's commitment to fair pay and describing the principles, organisation structure and processes that will allow for effective management of the pay structure.

A Pay and Reward Panel established in 2010 (in accordance with the Employee Pay and Reward Policy) provides the mechanism for the review and setting of future pay and reward for the Council's senior management team. The Pay and Reward panel remit is included at Appendix 2. The Pay and Reward Panel will make annual recommendations to Council on the pay and reward arrangements of the Chief Executive, and Chief Officers to enable decisions on the remuneration of the above groups, as defined by legislation as "Chief Officer" posts to be taken by Council.

The broad principles of the Employee Pay and Reward Policy, and thereby this Pay Policy Statement, are as follows. It will:

- Support the delivery of the Council Plan by encouraging flexibility, improving productivity and by building future capacity across the entire workforce;
- Support the alignment of the strategic objectives with the Organisation Development and Workforce Strategy 2017 – 2022 through workforce planning so that the Council can recruit, develop and retain employees with appropriate knowledge and relevant skills required to deliver and adapt its services;
- Attract, retain and motivate suitably skilled employees so that the Council can perform at its best;
- Pay the Council's employees at a level that allows services to remain sustainable in a difficult and unpredictable economic climate whilst also taking into account specific strategic requirements and key market rate factors where relevant and appropriate to recruitment requirements;
- Reward full competence in the current job role through the Council's Performance, Review and Development Framework (using the behavioural competencies) and identify and encourage potential for career development;
- Set pay for all employees in an open and accountable way and communicate the Council's Policy and Pay and Grading Framework to all employees;
- Ensure a fair and consistent approach to remuneration of employees, both in terms of basic pay and other payments;
- Provide a fair, transparent and equality impacted pay structure accessible to all employees.

For the purposes of the Pay Policy Statement, Wrexham County Borough Council has determined that the definition 'Chief Officer' refers to, Chief Executive and Chief Officers. Throughout the document the term Chief Officer refers to these job titles.

The statement was agreed originally by Council on 28 March 2012. It is reviewed on an annual basis in accordance with the relevant legislation prevailing at that time, once reviewed and amended, it is approved annually by Council.

The Head of Service, HR & OD will have the authority to review the policy within the one-year period, to make any amendment/s necessary to reflect any changing legal requirements or make minor alterations.

4. Equalities

It is unlawful for the Council to discriminate against employees because of any of the protected characteristics as follows: Age, Disability, Gender Reassignment, Marriage and Civil Partnership, Pregnancy and Maternity, Race, Religion or Belief, Sex (gender), Sexual Orientation.

All workers (irrespective of their employment status) are protected by law against discrimination in the course of their employment with the Council. It is unlawful for Managers to discriminate against an individual on the grounds that he or she is “associated with” someone with a particular protected characteristic. The Council will not victimise an employee because he or she has raised a genuine complaint of discrimination, or assisted another employee with a complaint.

Employees are protected against all forms of unlawful discrimination in every aspect of their employment. This will include the pay and terms and conditions, including information that is contained in the Employee Handbook and Human Resources Policies.

5. Core Pay Policy Statement

5.1 Pay Structure

The Chief Executive and Chief Officer posts are evaluated in accordance with the HAY scheme. The pay structure consists of a series of incremental levels within each pay grade for posts evaluated via HAY or GLPC (Greater London Provincial Council job evaluation scheme).

All posts subject to National Joint Council (NJC) conditions for Local Government Services will be evaluated in accordance with the GLPC job evaluation scheme.

Based on the application of the GLPC job evaluation scheme and locally negotiated job evaluation procedure, the Council uses the nationally negotiated NJC pay spine points 1-43 inclusive and has agreed further points 44-58 through the implementation of Single Status Part II Local Collective Agreement. In April 2018, further points 55-58 (previously numbered 61 to 64) were added as part of a collective agreement agreed by Executive Board 12 December 2017. Appendix 1 details the local grading structure. This determines the salaries of the majority of the workforce, together with the use of other nationally defined pay scales where relevant.

The Council employs the Chief Executive and the Chief Officers in accordance with the JNC terms and conditions which are incorporated in their contracts. The JNC for Chief Officers and the JNC for Chief Executives negotiate separately on national (UK) annual cost of living pay increases. The Chief Executive and the Chief Officers employed under the JNC terms and conditions are contractually entitled to any nationally determined pay rise and this Council will therefore pay these as and when agreed in accordance with their current contractual entitlement. These include all ‘Chief Officer’ posts which are the Chief Executive and Chief Officers.

All other pay related allowances are the subject of either national or locally negotiated rates, having been determined from time to time in accordance with collective bargaining arrangements and/or as determined by Council Policy. In determining its grading structure and setting remuneration levels for all posts, the Council takes into account the need to ensure value for money in respect of the use of public expenditure, balanced against the need to recruit and retain employees who are able to meet the requirements of providing high quality services to the community, delivered effectively and efficiently and at times at which those services are required.

All posts will normally be appointed on the minimum of the grade that was allocated to the job through job evaluation. In exceptional circumstances and where there are compelling and evidenced reasons to support the decision, a new, or newly promoted employee may be appointed to a higher increment. In order to maintain fairness and consistency this must be agreed between the Chief Officer who is making the appointment in consultation with the Head of Service, HR & OD.

Incremental progression applies to all NJC posts, that is, those subject to NJC terms and conditions. Details of incremental progression are set out in the Employee Pay and Reward Policy.

In the future it may be necessary to review whether we need to take account of the external pay market (market supplements) in order to attract and retain employees with particular experience, skills and capacity.

5.2 Senior Management Remuneration

The Local Authorities (Standing Orders) (Wales) Regulations 2006, Local Authorities (Standing Orders) (Wales) (Amendment) Regulations 2014 and the Local Government (Wales) Act 2015 will be adhered to with regard to the remuneration of Chief Officer posts (as defined by these Regulations).

The Pay and Reward Panel was established, to consider and provide recommendations on levels of basic pay for the top three tiers of the organisation and to make such recommendations to Council. At an Extraordinary Council Meeting on 22 November 2010 agreement was reached on:

- Terms of reference of the Pay and Reward Panel (Appendix 2).
- Recommendations regarding basic pay levels for the Chief Executive and Chief Officer posts Assimilation and progression arrangements.

The Senior Management structure was last amended in 2021 and agreed at Council on 26 May 2021, for implementation on 1 October 2021. This did not alter the number of roles.

The Pay and Reward Panel reviewed the Senior Management pay for 2022/2023 and at the Council meeting on 23 February 2022 the following recommendation was approved:

- i. no change is made in respect of the current salary range for the Chief Executive.
- ii. no change is made in respect of the current salary range for Chief Officers and the criteria to be used in exceptional circumstances.

It has been previously accepted that nationally awarded pay increases would be paid by the Council as they occur. This is detailed in section 5.1.

The pay levels are detailed below.

Note: For the purposes of this section, senior management means 'Chief Officer' as defined within S43 of the Localism Act. The posts falling within the statutory definition are set out below, with details of their basic salary as at 1 April 2020.

Chief Executive range:

SCP	Salary April 2021
CEO Point 5	£142,785
CEO Point 4	£138,358
CEO Point 3	£133,930
CEO Point 2	£129,502
CEO Point 1	£125,075

Chief Officer range:

SCP	Salary April 2021
CO Point 6	£101,058
CO Point 5	£98,931
CO Point 4	£96,804
CO Point 3	£94,676
CO Point 2	£92,549
CO Point 1	£90,421

Extension Point 7 £103,186 and Point 8 £105,313 only in exceptional circumstances when criteria is met.

5.2.1 Chief Executive

The job purpose of the Chief Executive is:

- To work with elected Members to provide leadership, vision and strategic direction for the Council and ensure the Council is appropriately structured, managed and resources directed to deliver corporate priorities and objectives.
- To lead, develop and challenge the Senior Leadership Team to ensure that the quality of the Council's management and services are maintained, developed and customer-focused.
- To undertake statutory responsibilities as the Authority's Head of Paid Service.

At March 2022, the current salary of the post holder is £131,951. The salary falls within a range of 5 incremental points as set out above (pre pay award).

5.2.2 Chief Officers

The job purpose of a Chief Officer is to support the Chief Executive in the overall strategic direction, corporate management and financial leadership of the Council to ensure the outcomes in the Council Plan are met.

The current salary range for the post was introduced on 1 April 2020 is within a range of 6 incremental points as at March 2022 as set out above. The criteria only applicable in exceptional circumstances, for two additional increments is as set out above and referred to at 5.4.2.

Progression within the incremental scale for Chief Officers (2 tiers outlined above).

The opportunity for progression within each band for all three tiers outlined above will occur on 1 April each year and will be based on performance, not time served.

5.3 Recruitment of 'Chief Officers'

The Council's policy and procedures for the recruitment of Chief Officers is set out within the Officer Employment Procedure Rules as set out in Part 4 of the Constitution:

'The full council will approve the appointment of the head of paid service following the recommendation of such an appointment by a committee or sub-committee of the Council.' 'All appointments to Chief Officer posts shall be made by a Committee appointed by the Council advised by the Chief Executive for Chief Officer appointments'.

The Council will comply with its legal obligations by publically advertising any Chief Officer posts, where annual remuneration is £100,000 or more (unless the appointment is for a period of no longer than 12 months). At Wrexham County Borough Council only the Chief Executive post has a salary grade over £100,000. The Council will ensure that all posts as determined by the 'The Local Authorities (Standing Orders) (Wales) (Amendment) Regulations 2014' and 'The Local Authorities (Standing Orders) (Wales) Regulations 2006' are appointed by full Council. The Officer Employment Procedure Rules set out in the Council constitution detail the arrangements for this process.

When recruiting to all posts the Council will take full and proper account of its own Equality and Diversity Policy, Recruitment and Selection Policy, and the Redundancy and Redeployment Policy.

The determination of the remuneration to be offered to any newly appointed 'Chief Officer' will be in accordance with the pay structure and relevant Pay Policy as determined by Council.

Where the Council remains unable to recruit Chief Officers or there is a need for interim support to provide cover for a vacant substantive Chief Officer post, the Council may, in accordance with constitution where necessary, consider and utilise engaging individuals under 'contracts of service' or exceptionally under 'contracts for service'. These will be sourced in accordance with the relevant procurement process ensuring the council is able to demonstrate the maximum value for money benefits from competition in securing the relevant service. Since 1 January 2015 the Council has not had any Chief Officers engaged under such arrangements.

The provisions under Section 143A of the Local Government (Wales) Measure 2011 and section 39 of the Local Government (Wales) Act 2015, put in place certain provisions to prepare for a restructuring of local government in Wales. These provisions relate to recruitment arrangements by 'merging authorities', these provisions would only apply in the event of such arrangements.

5.4 Additions to Salary of Chief Officers

The Council does not apply any bonuses or performance related pay to its Chief Officers. With the exception of progression through the incremental scale of the relevant grade being subject to 'above expectations' performance, which is assessed on an annual basis, the level of remuneration is not variable dependent upon the achievement of defined targets.

In addition to basic salary, set out below are details of other elements of 'additional pay' which are chargeable to UK Income Tax and do not solely constitute reimbursement of expenses incurred in the fulfillment of duties;

5.4.1 Chief Executive

Fees paid for returning officer duties where identified and paid separately. Such fees vary according to which elections are held and when, are calculated by reference to rates specified by the relevant electoral body, and are, except in the case of local elections, paid by those bodies rather than at cost to the Council.

The mileage rates that are applied to this post are the same as NJC rates payable under the Part 3 Agreement, for business mileage incurred. Employees using motor vehicles for the performance of their duties will receive the standard HMRC rate of 45p per mile for all business mileage incurred up to 10,000 miles and 25p per mile thereafter.

The costs of up to two annual subscriptions, for two approved professional bodies are met by the Authority, as outlined in the contract of employment.

5.4.2 Chief Officers

Where statutory duties are attributed to a role, no extra supplements or allowances are paid.

The mileage rates that are applied to this post are the same as NJC rates payable under the Part 3 Agreement, for business mileage incurred. Employees using motor vehicles for the performance of their duties will receive the standard HMRC rate of 45p per mile for all business mileage incurred up to 10,000 miles and 25p per mile thereafter.

The cost of one annual subscription for an approved professional body is met by the Authority as outlined in each contract of employment.

There is an agreed criteria for two additional incremental points on the Chief Officer range which may be used only in exceptional circumstances and when certain conditions are met. The criteria is at Appendix 5.

5.5 Payments on Termination

The Council's approach to statutory and discretionary payments on termination of employment of Chief Officers, is set out within its policy statement in accordance with Regulations 5 and 6 of the Local Government (Early Termination of Employment) (Discretionary Compensation) Regulations 2006. The statutory rate referred to in Regulation 6 is reviewed annually by the Government. (Appendices 3 and 4).

All termination payments are fully compliant with HMRC requirements.

Any other payments falling outside the provisions or the relevant periods of contractual notice shall be subject to a formal decision made by the Council or relevant elected members, committee or panel of elected members with delegated authority to approve such payments.

In the event that further legislation is introduced in relation to exit payments limits and repayment of exit payments, this will need to be reflected in policy once the position in Wales is known.

5.6 Publication

Upon approval by Council, this statement will be published on the Council's website. In addition, under 7A (1) (a) of the Accounts and Audit (Wales) (Amendment) Regulations 2010, the Council is required to disclose the number of employees whose remuneration excluding pension contributions was £60k or more in bands of £5k. Under Section 7A (1) (b) of the Accounts and Audit (Wales) (Amendment) Regulations 2010, information regarding employees identified as Senior Officers and whose salary is above £60,000. Persons whose salary is £150,000 or more per year must also be identified by job title and name.

5.7 Lowest Paid Employees

The lowest paid persons employed under a contract of employment with the Council are employed on full time 37 hours equivalent salaries in accordance with the minimum spinal column point currently in use within the Council's grading structure. From 1 April 2021 the minimum spinal point increased to £17,842 (basic full time equivalent) in accordance with the nationally agreed NJC pay award. This equates to £9.25 per hour. Modern Apprentices are not included within the definition of 'lowest paid employees' as they are engaged on Apprentice terms and conditions. The Council applies the National rates based on age for Apprentices.

The relationship between the rate of pay for the lowest paid and Chief Officers is determined by the processes used for determining pay and grading structures as set out earlier in this policy statement (Section 5.1).

The statutory guidance under the Localism Act recommends the use of pay multiples as a means of measuring the relationship between pay rates across the workforce and that of senior managers, as included within the Hutton 'Review of Fair Pay in the Public Sector' (2010).

The current pay levels within the Council define the multiple between the lowest paid (full time equivalent basic pay) employee and the average of following roles as at 1 March.

Year	Chief Executive	Chief Officer
2022	1:7:39	1:5:23
2021	1:7.15	1:5.28
2020	1:6.91	1:5.13
2019	1:6.88	1:5.29
2018	1:7.41	1:5.69
2017	1:8.64	1:6.06

The Hutton report on Fair Pay in the public sector was asked to explore the case for a fixed limit on pay dispersion in the public sector, through a requirement that no public sector manager can earn more than 20 times the lowest paid person in the organisation.

The report concluded that the relationship to median earnings was a more relevant measure and the Government's Code of Recommended Practice on Data Transparency recommends the publication of the ratio between highest paid salary and the median salary of the whole of the Authority's workforce. The multiple between the median full time basic equivalent earnings (excluding Voluntary Aided schools) and the following roles at 1 March is:

Year	Chief Executive	Chief Officer
2022	1:5:72	1:4:04
2021	1:5.53	1:4.08
2020	1:5.23	1:4.03
2019	1:5.23	1:4.14
2018	1:5.31	1:4.08
2017	1:6.17	1: 4.33

As part of its overall and ongoing monitoring of alignment with external pay markets, both within and outside the sector, the council will use available benchmark information as appropriate.

5.8 Accountability and Decision Making

In accordance with the Executive Function Procedure Rules as reflected in the Council's Constitution of the Council, Council and Executive Board are responsible for decision making in relation to the recruitment, pay, terms and conditions and severance arrangements in relation to employees of the Council. Only Officers of the Council, who have no personal or pecuniary interest in 'Chief Officer' pay levels and grading structures, will support Members in their decision making on this matter.

5.9 Independent Remuneration Panel for Wales (IRPW)

The IRPW has powers in relation to Local Authorities Pay Policy Statements which relate to the salary of its Head of Paid Service (Chief Executive) as a result of the commencement of the provisions in the Local Government (Democracy) (Wales) Act 2013 Order. Section 63 of the Local Government Democracy (Wales) Act, (2013 Act) amends the Local Government (Wales) Measure 2011 (the 2011 measure) by inserting a new section 143a. Section 143a enables the IRP to take a view, in relation to principal councils, on anything in their Pay Policy Statement relevant to the salary of their Head of Paid Service. As a result, the Council will consult with the Independent Remuneration Panel for Wales before changing the salary of the Head of Paid Service and will have regard to the Panels' recommendation when making a decision. This will apply when the change being considered falls outside the circumstances of a general pay increase/reduction applicable to all employees'. Legislation in 2015 extended this provision from 25 January 2016 until 31 March 2020 to include 'Chief Officers' pay decisions, this has now been removed. The Independent Remuneration Panel for Wales will have regard to Guidance from Welsh Ministers when considering an application from a Local Authority to vary the salary of its Head of Paid Service.

6. Responsibilities

Managers: Managers are responsible for ensuring that this Pay Policy Statement is consistently applied within their own area.

Trade Unions: Recognised Trade Union representatives have been advised on the development of the Pay Policy Statement.

Human Resources & Organisation Development (HR & OD): is responsible for creation, development, improvement and refinement of this Pay Policy Statement and ensuring the Pay Policy Statement undergoes regular review in line with Legislation. HR & OD will provide advice and guidance on the application of the Pay Policy Statement and where specific responsibilities are outlined within.

The Head of Service, HR & OD will have overall responsibility for this Pay Policy Statement and will determine the appropriate approval body.

Pay and Reward Panel: The Pay and Reward Panel, has responsibility to review and make recommendations to Council regarding Senior Manager Pay (as appropriate).

7. Record Keeping and Data Protection

All pay information will be held and processed in accordance with the Data Protection Act.

8. Definitions

‘Chief Officer’ means the Head of Paid Service; Monitoring Officer; Statutory Chief Officer (S2(6) of 1989 Act); Non Statutory Chief Officer (S2(7)) and a Deputy Chief Officer (S2(8)). For the purposes of the Pay Policy Statement, Wrexham County Borough Council has decided that this definition refers to the top three tiers of the organisation, i.e. Chief Executive, Chief Officers.

‘Remuneration’ means the Chief Officers salary (or payment under a contract of services); any bonuses, charges, fees or allowances payable by the Authority to the Chief Officer (S43(3)).

GLPC Job Evaluation Scheme: Greater London Provincial Council Job Evaluation Scheme.

9. Reference Materials

Background – extract from Pay accountability with Local Government guidance

The Local Government Act 1972, (section 112) sets out the Council’s “power to appoint officers on such reasonable terms and conditions as the Authority thinks fit”. This Pay Policy Statement (the ‘statement’) sets out the Councils approach to pay policy in accordance with the requirements of Section 38 of the Localism Act 2011. It

also ensures appropriate sections of the Local Authorities (Standing Orders) (Wales) Regulations 2006 the Local Authorities (Standing Orders) (Wales) (Amendment) Regulations 2014 are adhered to. Nothing within the provisions of the Localism Act 2011 detract from the Councils autonomy in making decisions on pay that are appropriate to local circumstances and which deliver value for local tax payers.

9.1 Associated Documents

Employee Pay and Reward Policy

Pay and Reward Panel – Terms of Reference

Single Status Part II and Part III Local Collective Agreements

9.2 Legislation

The Local Authorities (Standing Orders) (Wales) (Amendment) Regulations 2014 came into force on 1 July 2014. The Regulations amended the 2006 Regulations which required local authorities to incorporate into their Constitution certain provisions relating to staff, meetings and proceedings. Changes to the Constitution were approved by Council on 24 September 2014, to reflect the new legal requirements. Please refer to Report to Council HCCS/95/14 'Proposed Amendments to the Council's Constitution'.

In determining the pay and remuneration of all of its employees, the Council will comply with all relevant employment legislation. This includes the Equality Act 2010, Part Time Employment (Prevention of Less Favourable Treatment) Regulations 2000, The Agency Workers Regulations 2010 and where relevant, the Transfer of Undertakings (Protection of Earnings) Regulations. With regard to the Equal Pay requirements contained within the Equality Act, the Council ensures there is no pay discrimination within its pay structures and that all pay differentials can be objectively justified through the use of equality proofed Job Evaluation mechanisms which directly relate salaries to the requirements, demands and responsibilities of the role. Councils must have due regard to the need to eliminate unlawful discrimination (against employees with protected characteristics), which includes discrimination in pay.

The general gender equality duty includes a requirement to have due regard to the need to eliminate discrimination that is unlawful under the Equal Pay Act (now replaced by the Equality Act 2010).

With regard to the development, publication and use of the Pay Policy Statement, minimum statutory requirements arise from:

- Chapter 8 of the Localism Act 2011 (S38 to S43);
- Guidance May 2017 Pay accountability in Local Government in Wales (re openness and accountability in local pay' (under S40))
- The Code of Recommended Practice for Local Authorities on Data Transparency (Para 12), and;
- The Accounts and Audit Regulations 2010 (S7)
- The Local Authorities (Standing Orders) (Wales) (Amendment) Regulations 2014
- The Local Authorities (Standing Orders) (Wales) Regulations 2006
- The Local Government Pension Scheme 2013
- Local Government Pension Scheme (Transitional Provisions and Savings) Regulations 2014
- Section 143A Local Government (Wales) Measure 2011
- Section 39 Local Government (Wales) Act 2015

Under the provisions of S7 of the Accounts and Audit (Wales) Regulations 2010 the Statement of Accounts must be accompanied by a note of the number of employees whose total remuneration (excluding employer's pension contributions) fall in each bracket of a scale in multiples of £5,000 starting with £60,000 (Wales). The amended Regulations introduced a new requirement to disclose individual remuneration details for senior employees, in respect of their employment by the relevant body (whether on a permanent or temporary basis).

For senior employees whose salary is £60,000 (Wales) or more per year but less than £150,000, the Council is required to list employees individually by way of job title. Persons whose salary is £150,000 or more per year must also be identified by name. Disclosure will be made for each financial year under the following categories:

- salary, fees and allowances;
- bonuses;
- expenses allowance;
- compensation for loss of employment;
- employers pension contribution;
- any other emoluments.

APPENDIX 1

NJC Pay structure agreed by Executive Board 12 March 2019

NJC for Local Government Services (Green Book) Pay structure

To be updated with cost of living award once agreed

01/04/2021 Pay award applied

Pay Structure

Grade	SCP	FTE	£ per hour
G02	1	£18,154	£9.50
G03	2	£18,516	£9.60
	3	£18,887	£9.79
G04	4	£19,264	£9.99
	5	£19,650	£10.19
G05	6	£20,043	£10.39
	7	£20,444	£10.60
	8	£20,852	£10.81
G06	11	£22,129	£11.47
	12	£22,571	£11.70
	13	£23,023	£11.93
	14	£23,484	£12.17
G07	17	£24,920	£12.92
	18	£25,419	£13.18
	19	£25,927	£13.44
	20	£26,446	£13.71
G08	22	£27,514	£14.26
	23	£28,226	£14.63
	24	£29,174	£15.12
	25	£30,095	£15.60
G09	26	£30,984	£16.06
	27	£31,895	£16.53
	28	£32,798	£17.00
	29	£33,486	£17.36
G10	30	£34,373	£17.82
	31	£35,336	£18.32
	32	£36,371	£18.85
	33	£37,568	£19.47
G11	34	£38,553	£19.98
	35	£39,571	£20.51
	36	£40,578	£21.03
	37	£41,591	£21.56
G12	38	£42,614	£22.09
	39	£43,570	£22.58
	40	£44,624	£23.13
	41	£45,648	£23.66
G13	42	£46,662	£24.19
	43	£47,665	£24.71
	44	£48,682	£25.23
	45	£49,700	£25.76

Grade	SCP	FTE	£ per hour
G14	47	£52,063	£26.99
	48	£52,817	£27.38
	49	£53,839	£27.91
	50	£54,935	£28.48
G15	51	£56,157	£29.11
	52	£57,381	£29.74
	53	£58,606	£30.38
	54	£59,828	£31.01
G16	55	£61,053	£31.65
	56	£62,278	£32.28
	57	£63,503	£32.92
	58	£64,727	£33.55

Pay and Reward Panel – Terms of Reference

Version - May 2021 Agreed Council 26 May 2021

Scope

Council on 22 September 2010 agreed to establish a Pay and Reward Panel to consider senior pay. Senior in this context refers to the Chief Executive, and Chief Officers levels of the organisation.

The scope of the Panel is to:

- Make recommendations on senior pay and reward issues to Council
- Make recommendations on the management of and structure of senior pay and reward, and grounds for pay progression.
- To comply with the requirements set out in the Local Government (Wales) Act 2015, and any subsequent legislation, which relate to senior pay decisions. The panel and the Council must have regard to any Independent Remunerations panel's recommendation when reaching decision on relevant pay. Appendix 1 provides the process to refer any pay recommendation to Independent Remuneration Panel (IRP).

Terms of Reference

These Terms of Reference (ToR) are based on best practice including advice from Hay Consulting and reference to the Senior Salary Review Board (SSRB) report on Public Sector Senior Remuneration as published in March 2010.

The ToR will be developed over time and will allow the Panel the scope to recommend developments and changes to existing senior pay and reward arrangements. They will also be amended and updated on an ongoing basis to ensure effective working and to clarify the scope role, composition, and process within which the Panel will operate. The Terms of Reference will be subject to approval by Council.

The Terms of Reference were reviewed by the Pay and Reward Panel on 2 March 2012, and approved by Council on 28 March 2012. They are also reviewed annually.

Role

The Pay and Reward Panel will make recommendations to Council on the pay and reward of senior managers. It will:

- a) Contribute to the Council's positive reputation with regard to having appropriate and effective corporate governance arrangements for senior pay by operating an independent, transparent and informed approach to managing senior pay through the Pay and Reward Panel.
- b) Develop broad policy decisions for senior pay, having regard to the Council's Pay and Reward Policy.

- c) Review and make evidenced based recommendations on levels of remuneration considered to be sufficient to attract, retain and motivate senior managers of the quality required to run the organisation successfully.
- d) Consider the affordability of its proposals.
- e) Be sensitive to the context of senior pay, including pay and employment conditions elsewhere in the organisation.
- f) Ensure the relationship between reward for senior management tiers and for employees below this level remain reasonable.
- g) Ensure individuals are fairly and responsibly rewarded for their individual contribution.
- h) Use benchmark information to understand what other relevant organisations are paying for similar roles as well as their general approach to reward, and consider whether Wrexham County Borough Council should position itself in relation to ‘the market’ – for example, whether the Council’s approach may be to pay at around the lower quartile, median or upper quartile of the market, etc.
- i) Ensure that proper and professional advice is obtained to assist in its deliberations.

The Panel’s recommendations will be based on job evaluation results, data, advice, evidence, and views collected from a number of possible sources – for example:

- External pay data, advice, and facilitation (e.g. from external consultants or other sources).
- The Council’s Chief Executive, key documents and reports.
- Performance data where relevant.

Membership and Support

The Panel will comprise ten Members to give a balanced political background. One Member will act as Chair.

The Head of Department (Corporate and Customer Services) will provide a “secretariat” function to the Panel. He will be responsible for arranging meetings, coordinating and preparing documentation and arranging support, advice and information for the Panel. He will also guide the Panel on relevant policies which affect decision making, such as the Pay and Reward Policy and Equality and Diversity Policy.

The Panel may commission external independent expertise to train and support them in fulfilling their role and/or to provide external data or advice (including relevant market and regional data). The Head of Department (Corporate and Customer Services) will provide details of external experts considered suitable for these purposes in terms of experience, cost and best value for the Panel to select from.

Frequency of meetings and output

The Panel will meet at least annually to maintain an overview of the ongoing suitability of the Council’s approach to senior pay. It will review the pay for senior managers

every 2 years and present recommendations accordingly to Council. The Panel would not normally expect to present all of the background data and advice it had received.

The Panel may meet more frequently from time-to-time to discuss changes in relation to the approach or arrangements relating to senior pay (such as linking pay progression to performance or contribution), or as circumstances require. Its recommendations on these issues will also be taken to Council in the manner described above.

Version control and review dates

Established: Council 22 February 2010, Original version: 28.3.12

Recent dates: 20/1/2016, 8/12/2016, 18/12/2017, 10/10/2018, 19/10/2019, July 2020, 26/5/21

Appendix 1 – Process to refer pay decisions to Independent Remuneration Panel (IRP)

The Welsh Government has produced Guidance on the Independent Remuneration Panel for Wales under Section 143A of the Local Government (Wales) Measure 2011 and Section 39 of the Local Government (Wales) Act 2015. A provision for Chief Officers only was time limited, in force from 25 January 2016 until 31 March 2020. In March 2020 it was confirmed the requirement for Chief Officers would be removed.

1 National pay decisions eg JNC cost of living awards

As a result of national negotiations, if a pay award is made to 'Chief Officers' across local authorities which differs from that awarded to other staff, the IRP may consider joint approaches from local authorities. In January 2016 it was agreed that the WLGA would engage with the panel on behalf of all the Welsh Authorities. However this does not fetter the ability of the IRP to make different recommendations to different authorities if they feel so justified. Cost of living awards are also a contractual term within the post holders JNC terms and conditions.

2. Requirements of the Council's Pay and Reward panel

2.1 To refer decisions on pay relating to 'Chief Officers' as described in the Localism Act 2011; this will therefore apply to the Head of Paid Service – Chief Executive. The function to refer Chief Officers pay proposals ceased on 31 March 2020.

2.2 If the Council's Pay and Reward Panel wish to make a recommendation to change the pay of a 'Head of Paid Service' it will consult with the IRP, unless the change being considered is commensurate with a general pay increase or reduction for the Authority's other staff.

2.3 To provide the IRP with any information it may reasonably require in reaching a conclusion. The IRP may require the following:

- Papers/reports prepared by the Authority in relation to the decisions
- Details of the total package available, or under consideration. This could include pension arrangements, severance package, returning officer fees, and performance bonuses. (Full details are set out in the guidance)
- The interdependency of individual salaries within pay structures
- Information concerning other remuneration on offer to other Local Authority Chief Executives/Chief Officers

- Details of agreements made at the National Joint Council level.

2.4 To have due regard to any recommendation the IRP makes in relation to what is in their Pay Policy Statement, and Chief Executive, and Chief Officer's pay.

2.5 The Council/Pay and Reward Panel must have regard to any recommendation when reaching its decision.

3. Role of the Independent Remuneration Panel (IRP)

3.1 To take a view and make a recommendation on the proposal, the Authority must have regard to the recommendation, they are not obliged to follow it.

3.2 In the event that the Authority does not amend a proposal following the IRP's recommendation, the Authority must notify the Welsh Ministers and the Panel of its response.

If the Welsh Ministers consider that an Authority's response is inconsistent with the Panel's recommendation, the Authority might be subject to a direction from the Welsh Ministers to re-consider the salary.



The Local Government (Early Termination of Employment) (Discretionary Compensation) (England and Wales) Regulations 2006

STATEMENT OF POLICY ON THE EXERCISE OF DISCRETIONARY POWER

REGULATION 5 – Power to increase statutory redundancy payments

Background: The Government reviews the permitted statutory maximum weekly pay rate that an employer may award in a redundancy situation.

Discretion: By virtue of this Regulation, employers have the discretion to remove the weekly pay ceiling placed on a redundancy payment under the Employment Rights Act 1996.

Policy: Redundancy Payments shall be calculated by reference to actual pay where this exceeds the permitted statutory minimum.

Note: The above policy statement confers no contractual right.

Review: The Council may review its policy at any time and should do so on a regular basis.



**The Local Government (Early Termination of Employment)
(Discretionary Compensation) (England and Wales) Regulations 2006**

**STATEMENT OF POLICY CONCERNING THE EXERCISE
OF DISCRETIONARY POWERS**

Regulation 6 – Discretionary Compensation for Redundancy

This Regulation provides employers with the discretionary power to compensate staff whose employment is terminated early –

- i) by reason of redundancy, or
- ii) in the interests of the efficient exercise of the Authority's functions, or
- iii) in the case of a joint appointment, because the other holder of the appointment has left it.

Policy – Where it is decided to award compensation under the above Regulation, the amount shall be based on the statutory redundancy payment which is calculated by taking into account a maximum of up to 20 years' continuous service reckoned backwards from the date of termination as follows:

- ½ weeks pay for each year of service under age 22.
- 1 weeks pay for service between 22 and 41.
- 1½ weeks pay for service over age 41.
- Subject to an overall maximum of 30 weeks.

The product of the above calculation to be multiplied by 1½. **This provides for a maximum compensation level of 45 weeks pay.**

- The compensation payment set out above is inclusive of any statutory redundancy payment.
- Each case shall be considered fairly on its merits having regard to all relevant circumstances and a decision on the exercise of this discretion made jointly by the Chief Executive and Chief Officer, after consulting the Monitoring Officer, the Section 151 Officer and each Member of the Executive Board. *

* (Except for decisions with regard to the Chief Executive and Chief Officers which will be referred to a meeting of the Council).

- This policy confers no contractual rights.

When considering any application for Voluntary Early Retirement or Voluntary Redundancy under this policy strict regard must be paid to the following criteria:

- In the interests of retaining employees with particular skills and competencies and with provision of service delivery as the paramount consideration, it is emphasised that not all volunteers will be allowed to leave the Council's employment under this Scheme.
- All applications will be considered at management's sole discretion, based on a strong business case. Council's grievance procedure will not apply in the case of this Scheme and no complaints will be considered from employees who wish to leave, but whose application is refused.

The business case will need to include but will not be limited to:

- A maximum payback period would normally be no more than two years.
- Support from the relevant Chief Officer.
- A clear and demonstrable business and financial analysis of the effect on service provision.

When determining any application for Voluntary Early Retirement or Voluntary Redundancy under this policy strict regard must be paid to the following criteria.

- Consideration by the Chief Officer, Finance & ICT (Section 151 Officer) with regard to the cost of the application taking into account the overall budget pressures in accordance with his statutory role.
- The Council must retain the skills required to continue to deliver priority services and also to deliver the changes required in relation to the Reshaping of the Workforce.
- Current departmental and the Council's financial targets
- Consideration of legal challenge.
- Corporate Priorities
- Regulatory nature of the roles
- Current Service Reviews
- Current workload

Review: The Council may review its policy at any time and should do so on a regular basis.

Criteria for application in exceptional circumstances of 2 point extension to Chief Officer range when certain conditions apply (agreed Council 8 July 2020)

1.0 Purpose

To address challenges with recruitment & retention for heavily regulated Chief Officer roles, those roles under significant scrutiny through inspection regimes in certain sectors. The Pay and Reward Panel recommendation is:

Two additional increments be added to the CO range which are not automatically payable and only considered when certain conditions are reached for a Chief Officer role.

2.0 Authority to apply a payment:

2.1 For recruitment: This may be triggered in advance of recruitment by the Chief Executive submitting a business case to the appointment's committee, and when certain conditions as detailed below are met OR

Following a recruitment & selection process to enable an offer which secures an acceptance to an exceptional candidate selected through the process.

Approvals for recruitment: Chief Executive, in consultation with the Leader and Deputy Leader, the HOS HR & OD, with a supporting business case that sets out the justification for this.

2.2 For retention: To an existing post-holder who demonstrates excellent performance in making significant improvements to support retention.

Approvals for retention: Chief Executive, in consultation with the Leader and Deputy Leader and the HOS HR & OD, with a supporting business case that sets out the justification for this.

3.0 Evidence/criteria for when Chief Officer pay points 7 and 8 may be triggered/considered and when one or more of the following is met:

General

- Extreme/exceptional circumstances that are critical for recruitment and future retention of an exceptional candidate or a high performing existing Chief Officer, that has demonstrated significant service improvements.
- A business case is provided that demonstrates why this should be applied to an existing post-holder for their retention and recognition of outstanding performance that has contributed to resolve extreme/exceptional circumstances in a service. Specifically when externally regulated, Estyn, CSIW.

Recruitment

- To enable the Council to attract to roles when external labour market factors evidence demonstrates this is necessary to attract candidates of a high calibre.

- A review of pay rates for similar roles demonstrates higher pay ranges offered by comparable Authorities/competing organisations (e.g Schools, Health, Education, Police).
- Pay benchmarking information (Wales and/or borders) during reviews.
- Evidence that other authorities with similar pay rates have struggled to successfully recruit to similar posts.
- Service is known publically to be a risk/under-performing and requires accelerated and significant improvements, and attracting a high calibre and experience of sector is required to deliver such change.

Retention – only in very exceptional circumstances

- If succession planning has identified a key risk of a critical high performing post holder leaving, through appraisal discussions and the knowledge and skill is not likely at this level in the marketplace, and no internal succession plan has identified internal options, and/or

in a situation when a number of post holders have indicated their intention to leave at the same time resulting in a loss of Chief Officer knowledge and skill over a short timeframe, and/or

an exit is likely at a critical point in time, and transition planning is key to minimise critical service risk due to their contribution to regulatory required improvements and to provide regulatory assurance.

3.1 Conditions when it would not apply

- To existing post holders who are currently progressing up the Chief Officer range based on their normal annual performance reviews
- If significant improvement/performance is NOT demonstrated in first 12 months of a new appointment as part of routine appraisal discussion
- If during a 2 year period, the option to revert from point 7 or 8 to the standard range may be considered. Other processes may be invoked in this situation.

01.04.2021

Chief Officer range	See above	Points 1 - 6
CO Point 1	See 5.2	Minimum of grade point 1
CO Point 2	See 5.2	Main range for all CO positions increments subject to annual performance review of 4 and above
CO Point 3	See 5.2	
CO Point 4	See 5.2	
CO Point 5	See 5.2	
CO Point 6	See 5.2	Maximum of grade point 6

Extension	Salary	Points 7 - 8
CO Point 7*	£101,661**	*Only payable when certain conditions apply
CO Point 8*	£103,757	*Only payable when certain conditions apply

** Localism Act 2011 states that council should be offered the opportunity to vote on large salary packages that are to be offered in respect of new appointments in accordance with their agreed pay policy statements. Welsh Ministers consider

£100,000 is the right level for that threshold. The report includes a recommendation to manage this to ensure necessary timescales are met.

4.0 Other provisions

This grade is not a part of the current contract of employment, generally for all Chief Officers, but would be applied as an amendment should this be approved for a new appointment or a current post holder.

Review: The above will be subject to review by the Pay and Reward Panel at the full review due in 2021 which will also follow the Chief Executive's review of the April 2019 structure with SLT.

National agreed cost of living award: This will be applied as it occurs to the two additional points.

Pay policy provisions: *Employees, who apply and are appointed, whether through internal or external recruitment, will normally be placed on the minimum of the grade that was allocated to the job through Job Evaluation. Under exceptional circumstances, and where there are compelling and evidenced reasons to support the decision, a new employee may be appointed to a higher increment, subject to the maximum of the grade. This is applicable to the current range.*

Appraisal arrangements: This group can be awarded a single increment annually (1 April) subject to a satisfactory appraisal of a 4 or above based on performance. (Arrangements for the rest of the workforce requires a 3) The Chief Executive undertakes the appraisal's for all Chief Officer posts.