

# HR Policy Committee (virtual meetings from June 2020 due to Coronavirus)

**Tuesday 19 January 2021**

**2.00 pm**



To: The Members of the HR Policy Committee (virtual meetings from June 2020 due to Coronavirus)

Clr M Chilcott (Chairman), Clr A Groskop, Clr P Ham, Clr W Wallace, Clr A Kendall and Clr L Redman

All Somerset County Council Members are invited to attend meetings of the Cabinet and Scrutiny Committees.

Issued By Scott Wooldridge, Strategic Manager - Governance and Risk and Monitoring Officer - 11 January 2021

For further information about the meeting, please contact Kait Harvey [kharvey@somerset.gov.uk](mailto:kharvey@somerset.gov.uk) or Michael Bryant [mbryant@somerset.gov.uk](mailto:mbryant@somerset.gov.uk)

Guidance about procedures at the meeting follows the printed agenda.

This meeting will be open to the public and press, subject to the passing of any resolution under Regulation 4 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.

This agenda and the attached reports and background papers are available on request prior to the meeting in large print, Braille, audio tape & disc and can be translated into different languages. They can also be accessed via the council's website on

[www.somerset.gov.uk/agendasandpapers](http://www.somerset.gov.uk/agendasandpapers)



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## AGENDA

Item HR Policy Committee (virtual meetings from June 2020 due to Coronavirus) - 2.00 pm Tuesday 19 January 2021

### \* Public Guidance notes contained in agenda annexe \*

#### 1 **Apologies for Absence**

To receive apologies for absence.

#### 2 **Declarations of Interest**

Details of all Members' interests in District, Town and Parish Councils can be viewed on the Council Website at [County Councillors membership of Town, City, Parish or District Councils](#) and this will be displayed in the meeting room (Where relevant).

The Statutory Register of Member's Interests can be inspected via request to the Democratic Service Team.

#### 3 **Minutes from the previous meeting held on 10 November 2020** (Pages 7 - 12)

The Committee is asked to confirm the minutes are accurate.

#### 4 **Public Question Time**

The Chair will allow members of the public to present a petition on any matter within the Committee's remit. Questions or statements about any matter on the agenda for this meeting will be taken at the time when each matter is considered.

#### 5 **Pay Policy Statement Update 2021/22** (Pages 13 - 32)

To consider this Report, to be presented by Strategic Manager – HR Business Relations.

#### 6 **Annual Equalities Report**

To receive a verbal update from Strategic Manager – HR Business Relations.

#### 7 **Any other urgent items of business**

The Chair may raise any items of urgent business.

## Guidance notes for the meeting

### 1. **Council Public Meetings**

The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020 have given local authorities new powers to hold public meetings virtually by using video or telephone conferencing technology.

### 2. **Inspection of Papers**

Any person wishing to inspect minutes, reports, or the background papers for any item on the agenda should contact Democratic Services at [democraticservices@somerset.gov.uk](mailto:democraticservices@somerset.gov.uk) or telephone 07790577336/ 07811 313837/ 07790577232

They can also be accessed via the council's website on [www.somerset.gov.uk/agendasandpapers](http://www.somerset.gov.uk/agendasandpapers).

Printed copies will not be available for inspection at the Council's offices and this requirement was removed by the Regulations.

### 3. **Members' Code of Conduct requirements**

When considering the declaration of interests and their actions as a councillor, Members are reminded of the requirements of the Members' Code of Conduct and the underpinning Principles of Public Life: Honesty; Integrity; Selflessness; Objectivity; Accountability; Openness; Leadership. The Code of Conduct can be viewed at: [Code of Conduct](#)

### 4. **Minutes of the Meeting**

Details of the issues discussed, and recommendations made at the meeting will be set out in the minutes, which the Committee will be asked to approve as a correct record at its next meeting.

### 5. **Public Question Time**

If you wish to speak, please contact Democratic Services by 5pm 3 clear working days before the meeting. Email [democraticservices@somerset.gov.uk](mailto:democraticservices@somerset.gov.uk) or telephone 07790577336/ 07811 313837/ 07790577232.

You will be sent a link to the meeting to attend virtually or alternatively you can telephone into the meeting and listen to the proceedings using the phone number and ID for the meeting.

At the Chair's invitation you may ask questions and/or make statements or

comments about any matter on the Committee's agenda – providing you have given the required notice. You may also present a petition on any matter within the Committee's remit. The length of public question time will be no more than 30 minutes in total.

A slot for Public Question Time is set aside near the beginning of the meeting, after the minutes of the previous meeting have been agreed. However, questions or statements about any matter on the agenda for this meeting may be taken at the time when each matter is considered.

You must direct your questions and comments through the Chair. You may not take a direct part in the debate. The Chair will decide when public participation is to finish.

If there are many people present at the meeting for one particular item, the Chair may adjourn the meeting to allow views to be expressed more freely. If an item on the agenda is contentious, with a large number of people attending the meeting, a representative should be nominated to present the views of a group.

An issue will not be deferred just because you cannot be present for the meeting. Remember that the amount of time you speak will be restricted, to three minutes only.

In line with the council's procedural rules, if any member of the public interrupts a meeting the Chair will warn them accordingly.

If that person continues to interrupt or disrupt proceedings the Chair can ask the Democratic Services Officer to remove them as a participant from the meeting.

## 6. **Meeting Etiquette**

- Mute your microphone when you are not talking.
- Switch off video if you are not speaking.
- Only speak when invited to do so by the Chair.
- Speak clearly (if you are not using video then please state your name)
- If you're referring to a specific page, mention the page number.
- Switch off your video and microphone after you have spoken.

## 7. **Exclusion of Press & Public**

If when considering an item on the agenda, the Committee may consider it

appropriate to pass a resolution under Section 100A (4) Schedule 12A of the Local Government Act 1972 that the press and public be excluded from the meeting on the basis that if they were present during the business to be transacted there would be a likelihood of disclosure of exempt information, as defined under the terms of the Act.

If there are members of the public and press listening to the open part of the meeting, then the Democratic Services Officer will, at the appropriate time, remove the participant from the meeting.

#### 8. **Recording of meetings**

The Council supports the principles of openness and transparency. It allows filming, recording and taking photographs at its meetings that are open to the public - providing this is done in a non-disruptive manner. Members of the public may use Facebook and Twitter or other forms of social media to report on proceedings. No filming or recording may take place when the press and public are excluded for that part of the meeting. As a matter of courtesy to the public, anyone wishing to film or record proceedings is asked to provide reasonable notice to the Committee Administrator so that the relevant Chair can inform those present at the start of the meeting.

We would ask that, as far as possible, members of the public aren't filmed unless they are playing an active role such as speaking within a meeting and there may be occasions when speaking members of the public request not to be filmed.

A copy of the Council's Recording of Meetings Protocol is available from the Committee Administrator for the meeting.

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**Minutes of a virtual Meeting of the HR Policy Committee held at 2pm on**

**Tuesday 10<sup>th</sup> November 2020**

PRESENT

Cllr M Chilcott (in the Chair)

Cllr A Groskop

Cllr L Leyshon

Cllr L Redman

Cllr W Wallace

**Other Members Present:**

Cllr T Munt

Cllr M Caswell

**Officers Present:**

Mr C Squire - Director of HR & Organisational Development

Mrs V Hayter - Strategic Manager, HR Business Relations

**28 Apologies for Absence - Agenda item 1**

Cllr Phillip Ham

**29 Declarations of Interest - Agenda item 2**

Reference was made to the following personal interests of the Members of the Regulation Committee, published in the Register of Members' Interests, which was available for public inspection via the Committee Clerk:

Cllr Mike Caswell – Sedgemoor District Council

Cllr Liz Leyshon – Mendip District Council

Cllr William Wallace – South Somerset District Council

Cllrs Caswell, Leyshon and Wallace declared a personal interest by virtue of receiving a local government pension.

**30 Minutes** - Agenda item 3

The Minutes of the meeting held on 22 September 2020 were signed as a correct record.

The Minutes of the meeting held on 30 September 2020 were signed as a correct record.

**31 Public Question Time (PQT)** - Agenda item 4

There were no public questions, statements or petitions.

**32 New Ways of Working Update** - Agenda item 5

The Chair invited the Director of HR & Organisational Development to introduce the presentation.

The Director introduced the activities undertaken; to support and connect staff with the organisation; initiatives providing wellbeing support to staff, including focus groups on health and wellbeing during lockdown; physical wellbeing activities promoted and social and communication activities - including social signing events taking place remotely via Microsoft Teams; making time to maintain social contact with colleagues.

The Director further highlighted the new ways of working task and finish group; considering wider approaches to office environments and the benefits of new ways of working, with view on recruitment and retention; working with representatives from service areas on the vision of a modern dynamic office; The Director explained that offices have been closed during lockdown, whilst enabling access for roles which require attendance, for connectivity issues, or due to personal considerations.

The Director then proceeded to explain the communications and engagement activities; including priority focus on leadership and management; 'ebb and flow'- providing knowledge of remote and office-based working patterns, to enable adequate social distancing, inviting in partners and staff aspirations; consideration of meetings culture and hybrid meeting versions.

The Committee discussed the following points:

- Considering the preferred working styles of future staff and Councillors.
- The pros and cons of travelling to meetings in person.
- The challenges of equality of engagement and interaction for hybrid and remote meetings, with mixed levels of physical and virtual attendees.



- The need to consider potential for inequality when considering virtual and office working.
- The hope that training and support would be given to enable technology to become a key part of the role of a Councillor.

In response to the discussion, the Director referred to:

- The broader equalities potential for potential staff and Members of new ways of working.
- The challenges of establishing culture and etiquette of hybrid meetings.
- Staff Survey information to be brought to a future meeting of HR Policy Committee.

The Chair welcomed the new ways of working, noting the need to ensure that they work for everyone.

### **33 Partnership with Health – Direction of Travel** - Agenda item 6

The Chair invited the Director of HR & Organisational Development to introduce the presentation.

The Director introduced the work being carried out with NHS Colleagues – for information and assurance of thinking across systems.

The Director further highlighted the strategic workforce outcomes – number of challenges locally and nationally; outlined membership of Local Workforce Action Board, some 24/25 members attending monthly, Chaired by Director of HR & Organisational Development; programme of work dominated by response to NHS Plans including NHS People Plan; priority of recruiting via visible, clear routes (apprenticeships, volunteering etc) into the Health and Social Care sector.

### **34 Priority areas** - Agenda item 7

The Chair invited the Director of HR & Organisational Development to introduce the presentation.

The Director introduced the priority areas; noting ministerial interest, 'Breaking Barriers' presentation; consideration of links into schools, colleges and university leavers, to enable them to gain access into health and social care careers; high social value element for Somerset.

The Director highlighted the Nursing degree programme, commencing 2021 and delivered through Bridgwater and Taunton College, bringing a cohort of degree-qualified nurses into the Somerset system; Yeovil College running second year of degree programme for Social Workers; Developmental programmes and consideration of core competencies for working in Somerset across the health and social care system, to support people to move across the workforce, with impacts on retention; Somerset Academy in its fourth year; colleagues from Somerset working on specific projects, with systems thinking across health and social care, working closely with primary care; looking at apprenticeship levy and provider organisations.

The Director further highlighted 'Proud to Care' – a brand initiative to attract to health and social care workforce, with links to schools, colleges and universities; NHS bank – collaborative work with Yeovil and Musgrove, sharing staff banks with the care sector; Local Economic Partnership (LEP) Heart of the South West – supporting 'Breaking Barriers' work; successful wellbeing bid, awaiting confirmation of funding.

The Committee discussed the following points:

- Attracting young people into the field of Health and Social Care, as a career, to engage with them at a younger age- critical education choices are made at age 12.
- Consideration of the approach for exam results and progression, due to the Covid pandemic.
- The challenges in education of obtaining practical soft skills, current situation challenging personal interactions and hands on skills.
- Concern for those at post 16 level - lack of opportunity to access travel and to be aware of those opportunities; suggested highlighting available opportunities to town and parish Councils, and request Health and Councils to facilitate work experience, especially hard to gain, health work experience.

In response to the discussion, the Director referred to:

- Agreement to the need for conversations to happen in respect of career opportunities at Year 5/6 level, the foundations being in place, with further clarification to be sought on coordination at a systems level.
- Proceeding as normal at present in respect of exam results and progression during the pandemic.
- Breaking Barriers work is addressing issue of work experience and issues raised in the discussion above.

**35 Reform of Local Government Exit Payments** - Agenda item 8

The Chair invited the Director of HR & Organisational Development to introduce the presentation.

The Director of HR & Organisational Development referred to the previous meeting, at which the item was covered; the cap now set at £95,000 on exit pay in the public sector has been approved by Parliament and came into effect on 4 November 2020; Local Government Pension from age 55 upwards and redundancy payments, an individual has to take pension benefits at that point; guidance is expected on how this will be managed by the Local Government Pension Fund; several legal challenges linked to sex discrimination and workforce composition.

The Committee noted the position. Chair thanked the Director for the update.

**36 Any Other Business of Urgency** - Agenda item 10

There was no urgent business.

(The meeting ended at 3.03pm)

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Somerset County Council

HR Policy Committee

– 19<sup>th</sup> January 2021

Pay Policy Statement – 2021/22

Cabinet Member: Cllr Mandy Chilcott, Deputy Leader and Cabinet Member for Resources

Lead Officer: Chris Squire, HR&OD Director

Author: Vicky Hayter, Strategic Manager HR Business Relations

Contact Details: 01823 359858

	<b>Seen by:</b>	<b>Name</b>	<b>Date</b>
<b>Report Sign off</b>	Legal	Honor Clarke	08/01/21
	Corporate Finance	Jason Vaughan	07/01/21
	Human Resources	Chris Squire	08/01/21
	Cabinet Member	Mandy Chilcott	08/01/21
	Monitoring Officer	Scott Wooldridge	08/01/21
<b>Summary:</b>	<p>The Report sets out proposed amendments to the Pay Policy Statement (PPS) for 2021/22. The amendments are very minor and mainly relate to date changes.</p> <p>The Report acknowledges that there may need to be an extraordinary meeting to review SLT pay in line with any decisions regarding pay for those on Green Book terms and conditions given that these negotiations have not yet commenced.</p>		
<b>Recommendations:</b>	<p><b>The HR Policy Committee is asked to :</b></p> <ol style="list-style-type: none"> <li><b>1. Agree to recommend the Council to approve the Pay Policy Statement for the Council for 2021-22 attached as Appendix A to this report to have effect from 1<sup>st</sup> April 2021.</b></li> <li><b>2. Note the revised National Living Wage rate from 1<sup>st</sup> April 2021 to £8.91. Also note the inclusion of 23 and 24 year olds for the first time.</b></li> <li><b>3. Note that proposals from the staff side are expected to be tabled by the end of January</b></li> <li><b>4. Note that the review of Grades 1-3 pay in relation to the national Green Book pay negotiations will have to be revisited at an extraordinary meeting of the HR Policy Committee</b></li> </ol>		
<b>Reasons for Recommendations:</b>	<p>To ensure that the Council complies with the statutory requirement to publish a pay policy statement annually.</p>		

	<p>Section 38 (1) of the Localism Act 2011 requires English and Welsh local authorities to produce a PPS for each financial year which must be approved formally by Full Council. Pay policy statements can be amended 'in-year' should the need arise but only by Full Council.</p> <p>As from 1st April 2012, determination of any salary/cost of living progression for Chief Executive and SLT is undertaken by the HR Policy Committee, subject to an annual review.</p>
<b>Links to Priorities and Impact on Service Plans:</b>	Appropriate pay provisions for staff are fundamental to the delivery of the Council's objectives and services as set out in the County Plan.
<b>Financial, Legal and HR Implications:</b>	<p>The revised PPS meets the requirements of the Localism Act and related statutory guidance.</p> <p>Any financial consequences come from decisions taken by the Council in accordance with the PPS in place at the time.</p> <p>In terms of applying the requirements of the PPS to pay / grading / appointment and dismissal of staff, the Council will follow all statutory and collectively agreed requirements that apply to local authority employers.</p>
<b>Equalities Implications:</b>	The Council's duty under Section 149 of the Equality Act 2010 is to have "due regard" to the matters set out in relation to equalities when considering and making decisions. There are no direct equality impacts associated with agreeing the PPS itself. There are also no direct impacts on sustainability, health and safety, community safety or privacy aspects as a result of the recommendations
<b>Risk Assessment:</b>	<p>Failure to comply with Section 38 (1) of the Localism Act could lead to a legal challenge to the Council and therefore it is important that the PPS reflects the Act, other relevant legislation and statutory guidance. The Council is required to have regard to statutory guidance and either comply with it fully or put in place appropriate alternative provisions.</p> <p>If the Council fails to comply with the requirements of the PPS in respect of the appointment / dismissal of officers then it could be subject to legal challenge.</p>
<b>Scrutiny comments / recommendation (if any):</b>	None

## **1. Background**

- 1.1.** It is a statutory requirement to review the Pay Policy Statement (PPS) annually and present it to Full Council for consideration and approval. The PPS takes effect from the beginning of the financial year. It will now go before Full Council on 17th February 2021 for approval and to have effect from 1<sup>st</sup> April 2021.
- 1.2.** There are no substantive changes to the PPS (Appendix 1). The amendments are minor and are explained in the Summary at the beginning of this paper.
- 1.3.** By way of an update on pay, it should be noted that the National Living Wage (NLW) rate with effect from 1 April 2021 will increase by 2.2 per cent from £8.72 to £8.91 and will be extended to 23 and 24 year olds for the first time.

The Unions have yet to make a pay claim for staff covered by Green Book terms and conditions. It is expected that it will be put to the Employer's side by the end of January 2021. As this is still a nationally negotiated arrangement, the details would have been for information only.

The Comprehensive Spending Review stated that most public sector workers would have a pay freeze in April 2021. Calculations around the affordability of pay increases take full account of the financial settlement given overall to local government but this is not the only factor involved. Thus, the Government cannot automatically impose a pay freeze in local government unless it uses a legislative route to do so. This means that the announcement of an increase of £250 for employees earning less than the national median wage of £24,000 per annum does not apply automatically for local government staff. The usual national process of determining pay for Green Book staff will continue as normal.

- 1.4.** It is difficult to provide guidance for discussion about how to manage pay increases at Grades 1-3 at this stage.
- 1.5.** It is suggested that a pay proposal for the Senior Leadership Team is considered in line with the timings for the Green Book pay award

## **2. Options Considered**

- 2.1.** No alternative options were considered in relation to the PPS for 2021/22.
- 2.2.** Given the fact that the national negotiations have not yet commenced, it is not appropriate to consider options at this stage.

### **3. Consultations undertaken**

- 3.1.** The NJC Pay negotiations will be discussed at the Joint Negotiation Forum. However, until there is an offer on the table, consultation is not possible.
- 3.2.** The National Living Wage is a legal requirement and has to be adhered to. We already exceed the stated rise and therefore will not need to adjust pay points at the bottom of the pay scale to comply.

### **4. Implications**

- 4.1.** The recommendations are intended to ensure that the Pay Policy Statement maintains an appropriate balance between rigorous governance of pay and reasonable flexibility for managers to manage.

### **5. Background papers**

- 5.1** Appendix 1 - a draft copy of the Pay Policy Statement 2021/2022 with minor changes proposed and tracked changes shown.
- 5.2** Appendix 2 – Staff side pay claim
- 5.3** Appendix 3 – Green Book Pay Scales

**Note:** For sight of individual background papers please contact the report author.



## **SOMERSET COUNTY COUNCIL PAY POLICY STATEMENT - 20210/224**

This document sets out Somerset County Council's Pay Policy Statement (PPS) for 20210/224 which is revised and published at least annually following approval at Full Council.

### **1. Background**

Section 38 (1) of the Localism Act 2011 requires English and Welsh local authorities to produce a PPS for each financial year.

The Act:

1. Requires the PPS to include the Council's policy on the following:
  - The remuneration of its chief officers
  - The remuneration of its lowest paid employees.
  - The relationship between the remuneration of its Chief Officers and other officers.
  - Other specific aspects of chief officer remuneration such as levels and elements of such remuneration, remuneration on recruitment, increases and additions to remuneration, termination payments and transparency.
2. Requires that the PPS:
  - Must be approved formally by Full Council.
  - Must be approved by the end of March every year for the following financial year.
  - Must be published on the local Council's website as soon as it is approved by the Council.
  - Must be complied with for all decisions on pay and reward for Chief Officers.
3. Makes provision for Full Council to make in year amendments to the PPS at any time and this function cannot be delegated.

### **2. Definitions**

The Act (Section 43) defines remuneration widely as:

- Pay.
- Charges.
- Fees.
- Allowances.
- Benefits in kind.
- Increases/enhancement of pension entitlement.
- Termination payments.

The Act (Section 43) defines Chief Officers as:

- The head of the paid service designated under section 4(1) of the Local

Government and Housing Act 1989;

- The monitoring officer designated under section 5(1) of that Act;
- A statutory chief officer mentioned in section 2(6) of that Act;
- A non-statutory chief officer mentioned in section 2(7) of that Act;
- A deputy chief officer mentioned in section 2(8) of that Act.

For the purposes of this statement all of the Council's senior officers on Grades 1 to 3 fit the above definition. These are collectively referred to as the Senior Leadership Team (SLT) throughout this Statement. In addition, ~~the post of Monitoring Officer (Grade 5) and~~ a number of posts at Grades 4 and 5 fall within the legal definition of 'deputy chief officer'.

### **3. Pay Data**

The Council complies with Data Protection Act obligations and will only publish information about an individual officer's pay where it is required to do so by law.

In accordance with the Accounts and Audit (England) Regulations 2011 and the Local Government Transparency Code 2015, the Council publishes pay information about individual posts for the Chief Executive and SLT on its website and in the Annual Statement of Accounts. The current list of posts and salaries is accessible via the following link.

<http://www.somerset.gov.uk/organisation/senior-salaries-and-pay-policy> (in the process of being updated)

In relation to other senior officers of the Council, including the Monitoring Officer, pay information is published on the Council's website relating to:

- Salaries of £50,000 or more by reference to total numbers within bands (grouped in bands of £5,000);
- Details of remuneration and job titles of certain senior employees whose salary is at least £50,000 and a list of responsibilities (for example, the services and functions they are responsible for, budget held and number of staff) and details of bonuses and 'benefits in kind', for all employees whose salary exceeds £50,000.

#### 4. Principles

The key principles underpinning this pay policy statement are:

**Affordability** – ensuring remuneration policies represent value-for-money for the taxpayer

**Fairness** – ensuring remuneration policies are fair to all staff, ranging from the most senior post to the most junior post

**Meet legislative requirements** – ensuring remuneration policies comply with all legal obligations, such as the Equal Pay Act

**Market facing** – ensuring due regard is taken of the market, both nationally and locally in the South West, and that this policy is in-line with councils of a similar size and / or in a similar labour market.

**Tax Avoidance** – ensuring that all remuneration arrangements comply fully with HMRC regulations.

#### 5. Determination of Grade

The Council's Grading structure accords with the National Single Status and Green Book agreements. The Grading structure reflects the need to continue to modernise, facilitate new ways of working and ensure equal pay for work of equal value in a large and diverse organisation.

The grading structure treats all groups of staff the same. It uses two schemes to evaluate jobs, covering virtually all employees, except teachers and Soulbury staff, which are subject to national grading schemes.

The Hay Scheme is used for the more senior posts, including the Chief Executive, SLT officers, and Strategic and Service Managers.

The New Somerset Scheme, based on the Greater London Provincial Council scheme (formerly GLEA), is used for all other posts. Some posts cross between the borders of both schemes.

The lowest paid posts in the Council which include posts of Cleaner, Domestic Assistant, Distribution Assistant and General Kitchen Assistant, are paid on Grade 17 (national spinal point 1: £17,842,364 as at 1<sup>st</sup> April 2020~~19~~).

The relationship between pay at the lowest and highest levels is therefore controlled by job evaluation.

#### 6. Pay and Grading Structure

The Somerset Pay and Grading structure incorporates National Pay Points up to spinal column point 44 and locally determined pay points above. The current pay and grading structure can be accessed via the following link.

<http://extranet.somerset.gov.uk/EasysiteWeb/getresource.axd?AssetID=95547&type=full&servicetype=Attachment> (new link needed now the extranet has gone)

The Council operates a 17 grade pay structure. Each grade from 17 up to 9 contains a number of pay increments. On Grades 8 and upwards, there is a single pay point per grade.

The Council does not operate a performance-related pay scheme for any staff, but does have a performance related appraisal scheme, including behaviours and competency assessment. The Council does not pay a bonus to any Council employee and no additional payments are made for election duties.

NJC for Local Government Services (Green Book) pay, terms and conditions apply to posts on Grades 17 to 4 inclusive. Annual pay awards are determined by national agreement.

With the exception of the Monitoring Officer, posts on grades 17 to 4 are officer appointments.

Post holders on Grades 17 – 9 are, subject to satisfactory performance, eligible for annual incremental increases up the pay scale until they reach the top of their grade.

Post holders on Grades 4 – 8 (Strategic and Service Managers) have some localised terms and conditions. Each Grade (4 – 8) has a fixed, spot salary and there is no incremental progression.

#### 7. Chief Executive and SLT Officers Pay

The Chief Executive and other SLT Officers are paid on Grades 1 – 3. All SLT posts on Grades 1 to 3 and the Monitoring Officer are appointed by the Appointments Committee of the Council with the exception of the Chief Executive whose appointment has to be agreed by the Council.

Each of the Grades 1 – 3 has a spot salary and no incremental progression.

Annual Salaries for Chief Executive and SLT posts as at January 2020 range between ~~£94,551,92,019~~ and ~~£166,851,162,384~~, as follows:

Grade 1 Post:  
Chief Executive

The salary for Grade 1 Post is ~~£166,851.~~ ~~£162,384.~~

Grade 2 Posts:  
Director of Childrens Services (DCS)  
Director of Finance  
Director of Adult Social Services (DASS)  
Public Health Director  
Lead Commissioner Economic and Community Infrastructure

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The salaries for Grade 2 Posts are within the range £111,180 to £144,600.  
£108,255 to £140,720.

Grade 3 Posts:

Director of Corporate Affairs

Economic and Community Infrastructure Operations Director

Economic and Community Infrastructure Commissioning Director

Deputy Director Adults and Health Operations Director

Deputy Director Adults and Health Commissioning

Deputy Director Children and Families

Director of Human Resources & Organisational Development

Managing Director – Somerset Waste Partnership

The salaries for Grade 3 posts are within the range £94,551 to £111,179.  
£92,049 to £108,254.

The default position in the event of a vacancy in any of the above posts is that the salary paid to the person appointed to fill the vacancy will be at the lowest point in the range (which represents the 'spot' to be applied within the grade) unless otherwise agreed by the Chief Executive (or Full Council in the case of the post of Chief Executive) in accordance with the requirements of the PPS.

#### **8. Governance Arrangements (as detailed in the Constitution)**

All actions, responsibilities and delegations outlined below must be exercised in accordance with the requirements of this Statement.

##### **Appointments Panel**

An Appointments Panel of the Council reviews the terms and conditions of any SLT post that becomes vacant (and, in addition, the post of Monitoring Officer) and where appropriate makes recommendations to the Chief Executive for any changes; decides the appointments process or other course of action; and appoints the Appointments Committee to undertake the appointments process.

The Panel comprises of 3 elected members appointed in accordance with the Constitution and can convene virtually or meet as required. If a Panel decides that no changes to terms and conditions are necessary when it reviews a vacant post (and that the salary will be advertised at the bottom of the range [the 'spot' for the grade] for posts on grades 1 to 3) then the Panel has authority to progress the recruitment without the need to seek further approvals. If a Panel wishes to make changes to the terms and conditions of a vacant post (other than the post of Chief Executive) then these are subject to the approval of the Chief Executive having obtained the agreement of the Leader of the Council. This includes where a Panel wishes to advertise a salary for a post (other than the post of Chief Executive) above the 'spot' at the bottom of the range. This must be the subject of a Panel recommendation to the Chief Executive for decision. If the Panel's recommendations for changes to terms and conditions relate to the post of Chief Executive then Full

Council must agree these changes.

Note: The Full Council approval of this Statement meets the provisions of the statutory guidance in relation to senior officer appointments which requires all posts where the total remuneration package is in excess of £100,000 pa to be approved by Full Council.

### **Appointments Committee**

The Appointments Committee of the Council is responsible for all SLT appointments (and the appointment of the Monitoring Officer) with the exception of the appointment of a Chief Executive which is subject to the approval of Full Council on the recommendation of the Committee. The Committee comprises up to 5 elected members for each individual appointment process and the membership is politically proportioned according to the political membership of the Council. The detailed provisions for the Committee's membership are detailed in the Constitution. If the Committee during the course of an appointment process wishes to vary the terms and conditions or the salary already agreed for a specific post, then such a proposal is subject to the approval of the Chief Executive having obtained the agreement of the Leader of the Council. The exception to this is where the Committee's recommendations relate to the appointment of the Chief Executive where any changes must be agreed by Full Council.

### **HR Policy Committee**

The Committee comprises 6 elected members and the membership is politically proportioned according to the political membership of the Council. This Committee has responsibility for:

- deciding and implementing annual pay awards for the Chief Executive and SLT and, where it is agreed that an award is made, the revised scales will be included for information in the next annual review of the PPS on at least an annual basis the pay and grading structure of the Council (including Chief Officer grades and salaries) and making recommendations for any changes considered necessary to Full Council by way of a revised PPS.

In bringing forward recommendations on these issues, the Committee will take into account:

- the outcome of job evaluation,
- any data/advice/evidence or views collected from appropriate sources, including: the Council's HR function; National and/or Regional Employers' Organisations; independent external pay data
- the needs of the business to recruit and retain senior officers
- the requirements of the PPS and
- fluctuations in the local and national job market.

### **Special Members' Panel / Committee**

The Constitution includes provision for the appointment of a Special Members' Panel to consider (and determine where appropriate) the following issues in relation to SLT Officers and the Monitoring Officer:

- (a) Where the dismissal of an SLT Officer (other than the Chief Executive or the Section 151 Officer) is proposed on disciplinary grounds, Council will determine the dismissal on the recommendation of the Panel;
- (b) Where a proposal is made to dismiss an officer holding a statutory post of Chief Executive, Chief Finance Officer or Monitoring Officer, the Panel shall decide whether there is any justification to the proposed dismissal and therefore whether it needs to be investigated. If the decision is that an investigation is necessary, the Panel will appoint an investigator. If the investigation confirms a potential dismissal, the Panel will refer the matter to the Independent Persons' Panel for consideration and report to Council. If the investigation recommends disciplinary action, then the Special Members' Panel shall consider and decide whether disciplinary action is justified and if so agree any action to be taken.
- (c) The Panel has authority to meet as a Committee of the Council to determine any question of disciplinary action in relation to an SLT Officer or the Monitoring Officer.
- (d) Except as otherwise provided for in (a) to (b) above, the Panel has authority from the Council to meet as a Committee of the Council to deal with any question of dismissal of an SLT Officer on the grounds of redundancy (including voluntary), permanent ill-health or infirmity of mind or body. The exception to this is where a proposed financial settlement for an officer leaving the Council exceeds £100,000. In these circumstances Full Council must agree the settlement.

The Special Members' Panel shall comprise of 6 Members appointed by the Leader of the Council (or his/her nominated representative) and comprising:-

- (a) The Leader of the Council (or his/her nominated representative)
- (b) The Leader of the largest opposition group (or his/her nominated representative)
- (c) 4 other Members of the Council selected by the Leader of the Council in consultation with the other Group Leaders and in accordance with the rules of political proportionality.

*Note: The membership of the Panel will not include any Member previously involved in an individual Officer's case.*

#### **Independent Persons' Panel**

Any proposal to dismiss a statutory post-holder holding the position of Chief Executive, the Chief Finance Officer or the Monitoring Officer must be determined by the Council on the recommendation of the Independent Persons' (IPs) Panel comprising a minimum of 3 IPs in accordance with the Local Authority (Standing Orders) (England) (Amendment) Regulations 2015.

The IPs are selected from a joint Somerset Councils' Panel of IPs. The Panel is appointed by the Chief Executive (or the Director of HR where the Chief Executive is the subject of the proposed dismissal). The Panel shall be appointed a minimum of 20 days before the Council is due to meet to consider the dismissal.

**Note**

This section summarises the detailed arrangements set out in Section 7 of Part 1 of the Constitution.

**Chief Executive: Delegated Powers**

The Chief Executive has been designated by the Council as the Head of the Paid Service and is therefore responsible for the Council's Senior Leadership Team and supporting officer structures of the Council. Any changes proposed by the Chief Executive to the staffing structure shall be subject to consultation with the Cabinet before the changes are agreed by way of an Officer Decision taken by the Chief Executive. Full Council will be informed of changes agreed at the next available opportunity.

The Chief Executive has authority:

- To appoint and dismiss all employees except where this function is specifically delegated to Members.
- To approve changes to the terms and conditions of all SLT posts and the post of Monitoring Officer on the recommendation of the Appointments Panel or the Appointments Committee or on his / her own initiative and having obtained the agreement of the Leader of the Council. The exception to this authority is the post of Chief Executive. All decisions taken by the Chief Executive on such matters will be the subject of a formal Officer Decision which will be published on the Council's website as soon as it is confirmed.
- After having sought the agreement of the Leader, and after appropriate consultations, to agree:
  - (a) acting up arrangements into SLT positions (other than that of Chief Executive) to cover periods of temporary absence either planned or unplanned
  - (b) emergency cover arrangements for the statutory chief officer roles (other than that of Chief Executive) where these positions become vacant between Full Council meetings. Any such agreement will be subject to review and confirmation at the next available Full Council meeting
  - (c) the recruitment of interims at SLT level in accordance with the requirements of section 11 of this Statement.

NB Only Full Council may approve acting up or temporary cover arrangements for the role of Chief Executive.

Before making decisions in relation to the staffing structure or individual posts, the Chief Executive is required to consider:-



- the views of the relevant Cabinet Member, the Chairman of the HR Policy Committee and the Opposition Spokesperson, and, as appropriate:-
- the outcome of job evaluation,
- any data/advice/evidence or views collected from appropriate sources, including: the Council's HR function; National and/or Regional Employers' Organisations; independent external pay data
- the needs of the business to recruit and retain senior officers;
- the performance of individual SLT Officers
- the requirements of the PPS and
- fluctuations in the local and national job market.

The Chief Executive has authorised other officers to appoint and dismiss staff Grades 4 and below (with the exception of the Monitoring Officer), in line with normal Council appointments processes.

SLT Officers are subject to the same terms and conditions as other employees in respect of termination of employment. The only exception is that SLT Officers and the Monitoring Officer are subject to modified disciplinary procedures as outlined in this Statement and in the Council's Constitution.

#### **9. Chief Executive Remuneration relative to other Council employees**

The recommendation of the Hutton Report into "Fair Pay in the Public Sector", as recognised by the Government in the Local Government Transparency Code 2015, was that the Council should publish the pay ratio of the salary of the Chief Executive compared to the median average salary in the organisation.

As at 1st January 2020<sup>1</sup>, the ratio of the pay of the Council's median earner (£24,799) to that of its Chief Executive (£166,851~~£162,384~~) was 1:-6.55.

**10. Pay Policy upon Appointment to posts below SLT level**

**Internally Appointed Candidates**

On promotion an officer must be appointed to the spot pay point or the minimum point on the scale, whichever is applicable. If there are special circumstances where it is considered that an increase in excess of the minimum is merited, then it will be necessary to consult the Director of HR and OD (or their nominated representative) and this must be done before any formal offer is made to the candidate.

**Externally Appointed Candidates**

The starting salary of an externally appointed candidate would normally be the spot pay point or the minimum point on the scale, whichever is applicable. However, the Council could pay a point within the incremental scale if the candidate is already paid on a higher salary or where their experience is beneficial to the Council. Should there be any doubt about repercussions elsewhere, the Director of HR and OD (or their nominated representative) should be consulted.

**Transferred Officers**

Where employees move between operational areas on the same grade with an incremental scale, no increment is payable at the time of transfer. The service is regarded as continuous for the purpose of annual incremental advancement. Therefore, where an officer's salary on 1 April following appointment, promotion or re-grading would be less than one spinal column point of their old salary the officer shall be entitled to their first increment on 1 April.

**Promotion or Re-grading**

On promotion within the Council to a post on a grade with an incremental scale, and which carries a higher maximum salary than their previous grade, or on the re-grading of their existing post based on increased duties and responsibilities, the officer shall be paid a salary in accordance with the new grade which is at least one spinal column point in excess of the salary they would have received on the old grade on the day of appointment, promotion or re-grading.

**11. Appointment of Agency Interims at SLT level**

Where the Council is unable to permanently recruit officers at the most senior level, there could be a requirement for that substantive post to be covered by an interim appointment. Interims will be supplied to the Council through a supplier to deliver the required cover.

The Council has various supplier options to supply interims in adherence with Procurement and Financial Regulations.

An interim's term of employment and contract is direct with the supplier and not the Council. The interim shall be solely responsible for complying with

legal requirements including the payment and accounting of taxes. In addition, the supplier should make the relevant declaration and checks in order to satisfy themselves that the interim abides by the relevant UK tax law.

Having obtained the agreement of the Leader of Council, the Chief Executive will approve the recruitment of interims at SLT level on a case by case basis and based on a business case presented by the Appointments Panel which takes into account:

- value-for-money for the taxpayer
- the evaluated grade of the post to be covered
- the public profile of the post
- risks to the Council
- the labour market, both nationally and locally in the South West, for interims providing cover for similar posts in councils of a similar size

Interims will be supplied to the Council in accordance with its Contract Standing Orders, relevant Procurement, Legal and Financial Regulations.

The Appointments Committee will interview candidates for interim appointments at SLT level to assess their suitability for the role and will confirm appointments.

SLT level interim appointments will be subject to formal review by the Chief Executive at the end of six months and at six monthly intervals thereafter to assess whether there is a requirement to retain their services. The original Appointments Committee will be consulted where the Chief Executive proposes to extend the engagement of an interim. The final decision on the extension of an interim rests with the Chief Executive.

#### **Appointment of Agency Interims below SLT level**

All interim appointments below SLT level will be sourced by the relevant SLT Officer or the Chief Executive where an SLT Officer is unable to act.

If this interim is to be employed at a rate of over £500 per day:

- The appointment will be subject to a formal review process at the end of the first six months and six monthly thereafter; and
- Any decision to extend the engagement of such an interim will require the approval of the Chief Executive.

All other interim appointments will be subject to a formal review process at the end of the first six months and six monthly thereafter and the decision to extend the engagement of such appointments rests with the relevant SLT Officer.

#### **12. Recruitment and Retention Allowances**

External recruitment and internal retention problems are tackled by temporarily increasing the total pay awarded to a post, when it can be shown that the pay on the evaluated grade is significantly lower than competitors'

rates of pay.

The payment of an allowance is temporary and will not be renewed if a review finds evidence that demonstrates the payment of the allowance is no longer justified.

An allowance forms part of an employee's pay (all the salary, wages, fees and other payments paid to them for their own use in respect of their employment) and as such is pensionable. An allowance is expressed as a cash lump sum, pro-rata to the contracted hours, and is not subject to annual cost of living/inflation pay awards.

Approval of recruitment and retention allowances in respect of:

- SLT posts and the Monitoring Officer post (with the exception of the post of Chief Executive) shall be determined by the Chief Executive following consultation with the Leader of Council and on the recommendation of the appropriate Appointments Panel in relation to new appointments
- The post of Chief Executive will be agreed by Full Council
- All other posts shall be determined by the Director of HR and OD or nominated officer, following a business case presented by the manager and having consulted with a group of senior managers.

#### **13. Travel and Subsistence**

The Council's intention is that employees should not be financially disadvantaged in going about its business and that they are fairly compensated for expenditure incurred. However, managers and employees are expected to organise journeys in the most efficient and effective manner possible and, in submitting claims, to adopt a reasonable approach.

SLT Officers are subject to the same policies as all other staff. Expenses paid to SLT Officers are published in the Annual Statement of Accounts.

#### **14. Reimbursement of Fees**

The Council will meet the cost of:-

- Practising Certificate required by Solicitors employed by the Council.
- Annual cost of membership of ARCUK required by practising Architects employed by the Council.

The Council will not pay fees and subscriptions payable by the Chief Executive and other Officers, to professional qualification bodies and local government-based societies and associations.

Fees and subscriptions payable by the Chief Executive and SLT Officers to associations that are inter-Council networking organisations (as distinct from

subscriptions to professional bodies) should be reimbursed subject to individual cases being approved by the Chief Executive and Director of HR and OD in consultation with the relevant Cabinet Member.

Where Committees consider that the Council may derive benefit by such officers attending meetings/working parties of local government-based societies/associations travelling and subsistence expenses incurred may be reimbursed subject to prior approval.

**15. Additional Payments**

Allowances are paid in line with NJC terms and conditions (Green Book), or by local agreements where relevant.

Any allowances paid to SLT Officers are disclosed in the Annual Statement of Accounts.

The Council has no policy for making benefits in kind.

**16. Salary Protection for Redeployed Employees at Risk of Redundancy**

This applies to all staff (excluding Officers on Grade 8 and above - please see below).

Protection will not apply to redeployed employees with less than two years local government service.

Salary protection arrangements will be for a period of three years during which annual cost of living pay increases and incremental progression will be awarded.

At the end of this period the substantive grade of the new post will be applicable.

It should be noted that salary protection is in place to ease the financial implications on those being redeployed and does not extend beyond salary.

As from 1st April 2014, Officers on Grades 8 and above receive one year's frozen pay protection.

**17. Pension**

All employees are eligible to join the Local Government Pension Scheme ("LGPS"). The Redundancy & Efficiency Compensation Policies and Flexible Retirement Policy apply to all staff. The Council has determined and published policies around the discretions available under the LGPS. The Council makes no enhancements or increases to individual pension benefits.

The Council applies its discretion under the regulations of the LGPS to allow employees aged 55 and over who are members of the LGPS to request payment of early retirement benefits whilst remaining in the Council's employment on reduced hours/lower grade. This does not apply to employees who are receiving a redundancy payment and early pension benefits or who are taking early retirement in the interests of the efficiency of the service.

Re-engagement of employees who are in receipt of a Local Government Pension should be through Reed Recruitment.

The Council may re-employ employees who have been made redundant whether through voluntary, compulsory or early retirement.

Managers who are employing an employee in this category should ensure that the usual selection processes are applied.

Employees should be advised that the combined pension and salary of their new post should not exceed the salary of their previous post. Otherwise their pension will be abated.

A number of employees have transferred to the Council under a specific staff transfer arrangement which allowed them to continue membership of the NHS pension scheme. The Council makes contributions on their behalf and complies with Pension Legislation in respect of the NHS scheme.

**18. Settlement Agreements**

In exceptional circumstances to avoid or settle a claim or potential dispute, the Council may agree payment of a settlement sum on termination.

All cases must be supported by a business case and take account of all legal, financial, contractual and other responsibilities.

Aside from the provisions in section 8, all settlement payments on termination of the contract of a post require the approval of the relevant SLT Officer.

**HR & OD SERVICE**

**Pay and Grading Structure with effect from 1 April 2019 and 1 April 2020**

SCP	Grade		Salary 01/04/19	Salary 01/04/20	
1	17		17,364	17,842	
2		16	17,711	18,198	
3	15		18,065	18,562	
4	15	14	18,426	18,933	
5		14	18,795	19,312	
6	13	14	19,171	19,698	
7	13		19,554	20,092	
8	13		19,945	20,493	
9	13		20,344	20,903	
10	13		20,751	21,322	
11	13		21,166	21,748	
12		12	21,589	22,183	
13		12	22,021	22,627	
14		12	22,462	23,080	
15		12	22,911	23,541	
16		12	23,369		<small>caveat should be put in place for temp staff via agency</small>
17		12	23,836	24,491	
18		12	24,313	24,982	
19		12	24,799	25,481	
20	11		25,295	25,991	
21	11		25,801	26,511	
22	11		26,317	27,041	
23	11		26,999	27,741	
24	11		27,905	28,672	
25	11		28,785	29,577	
26		10	29,636	30,451	
27		10	30,507	31,346	
28		10	31,371	32,234	
29		10	32,029	32,910	
30		10	32,878	33,782	
31	9	10	33,799	34,728	
32	9		34,788	35,745	
33	9		35,934	36,922	
34	9		36,876	37,890	
35	9	8	37,849	38,890	
36		8	38,813	39,880	
37		8	39,782	40,876	
38		8	40,760	41,881	SCC Spot Point
39	7	8	41,787	42,936	
40	7		42,816	43,992	
41	7		43,899	45,105	
42	7		45,201	46,443	
43	7		46,122	47,391	SCC Spot Point
44	7		47,274	48,573	
45		6	48,450	49,782	
46		6	49,668	51,033	
47		6	50,898	52,299	
48		6	52,179	53,613	
49		6	53,484	54,954	
50		6	54,816	56,322	SCC Spot Point
51		5	68,376	70,257	SCC Spot Point
52		4	77,415	79,545	SCC Spot Point

