

NORTH EAST DERBYSHIRE DISTRICT COUNCIL

Pay Policy Statement 2023-2024

1. Introduction

The Council is committed to the principle of equal pay. It recognises that women and men in the workforce should receive equal pay for work of equal value and this principle is enshrined in both UK and European law. The Council aims to ensure its pay system is free of bias. Fairness and equality across gender, age, race, disability, religion and sexuality are part of the values of this organisation.

The Council believes its values send a positive message on diversity and equality to managers, employees, potential employees, partners and customers and enhances productivity, efficiency and morale. This approach embeds the Council's "One Team" culture in place across the organisation.

The overall pay policy of the Council is driven by organisational consistency, equity and transparency. The Council believes in paying a fair rate of pay to its employees, and in meeting its strategic objectives it endeavours to create a working environment that will attract high calibre job applicants, encourage the retention of existing employees and fosters the Council's Talent Pipeline framework.

The local government environment is in an ongoing state of change and to this end North East Derbyshire District Council undergoes regular reviews of services to ensure that high levels of service delivery can be maintained without unnecessary cost to the taxpayer.

The implementation of policies on employee development and performance review, as well as dealing with capability where performance falls short of the desired standard, ensure that the workforce remains well trained and well-motivated without the need to apply any form of performance related pay. Mechanisms such as internal and external celebration and recognition of achievement are used to acknowledge particular contributions to the successful running of the organisation. Acknowledgement comes in a variety of forms.

Overview – whole workforce

In order to secure equal pay within the organisation, the following action has been taken to date:

- 1 In 1997 the National Joint Council (NJC) introduced a new National Agreement for Local Government Services (The Green Book). This agreement replaced the terms and conditions of service in the old

Purple Book (former officers) and White Book (former manual workers). The new agreement was generally called The Single Status Agreement since its intention was to introduce equal pay and eliminate the old blue/white collar divides.

- 2 As part of this process an Equal Pay Audit was carried out to ensure that any areas of inequality could be identified and resolved.
- 3 At the heart of the National Agreement is the principle of fairness and equality for all employees - equalising pay differences across the local government sector that have existed for decades. The Agreement recommended the use of a job evaluation scheme and it was jointly agreed locally to use the computerised version of the NJC Job Evaluation Scheme. This was applied to all jobs covered by the NJC Agreement for Local Government Services ('Green Book') at 1st April 2007.
- 4 The following are the factors included in the Job Evaluation process:
 - Knowledge
 - Mental Skills
 - Interpersonal Skills
 - Physical Skills
 - Initiative and Independence
 - Physical Demands
 - Mental Demands
 - Emotional Demands
 - Responsibility for People
 - Responsibility for Supervision
 - Responsibility for Financial Resources
 - Responsibility for Physical Resources
 - Working Conditions
- 5 The factors listed above are intended to allow application of the scheme across the whole range of posts within Local Government, with recognition given not only to mental effort required to carry out a job but also to physical skills and demands for more manual posts and emotional demands and responsibility for people in respect of jobs with caring as a focus.
- 6 The full Single Status package was submitted to Council for approval and adoption. This included both the Job Evaluation Scheme and a range of former national terms and conditions of service which were simplified and rationalised to reflect the current economic situation.
- 7 Decisions about smaller-scale changes to terms and conditions of service for employees of the Council are agreed through the Council's delegated decision process.

- 8 The implementation of the NJC Scheme is closely monitored to ensure that it is applied fairly and consistently across the Council and to minimise the possibility of an Equal Pay challenge.
- 9 Equal Pay and Gender Pay audits are undertaken on an annual basis.

Lowest Paid Employees

Following the implementation of Single Status and the JNC Job Evaluation Scheme, local grades were applied to the national spinal column points. Each grade comprises four points, and the top point of each grade is also the bottom point of the next grade. This has evolved in line with each National Pay Award Agreement to ensure it remains fit for purpose.

Grades 1 and 2 were payable to those employees who scored lowest under the thirteen factors used under the JE Scheme. However, from 1 October 2013 this Council has adopted the Living Wage for the small number of employees paid on these grades. The Living Wage, which is updated on 1 November annually and is currently set nationally at £10.90 per hour and is considered to be the pay needed to provide an adequate standard of living. To avoid compromising the integrity of the Job Evaluation process, all salary points below the living wage rate were deleted and replaced by a new single salary point at the appropriate level.

From 2015/16, to date the Council operates an Apprentice Scheme. New Apprentices joining the Council are paid on the National Living Wage based on their age. Apprentices and existing employees on an apprenticeship course undertaking the full duties and responsibilities of a post evaluated under the Council's job evaluation scheme are paid based on the grade for the role.

Background – Chief Officers' Salaries

In 2008 an independent review was carried out of salaries payable to senior managers, in an acknowledgement that the JNC Scheme was not an appropriate way of determining salaries for Senior Management.

There are many factors which affect the market for senior staff, including the following:

- A tightening pool of suitably qualified and experienced staff;
- An increasing reluctance to travel over large distances;
- The trend towards slimmer senior management structures comprising posts with more generic responsibilities
- The salary premium being offered by failing Councils to attract suitable candidates.

In view of the above, and further to national advice, the following factors were taken into account in establishing the local salary structure:

- Any special market conditions;

- Any substantial local factors not common to authorities of similar type and size;
- Comparable information on salaries in other similar authorities;
- Top management structures and the size of the senior management team compared to other authorities of similar type and size.

In addition it should be noted that there has been found to be a correlation between population and salary levels, with a distinct salary bias towards districts with urban characteristics as opposed to rural characteristics, as well as a marked salary premium for Councils in the South of the country.

Since 2011, the Council has been in a strategic alliance with Bolsover District Council. From 2011 until 2021, the Council had a significant number of senior management posts that worked jointly with postholders working across both Councils. In 2021, each Council commenced development of its' own senior management team to reflect the current strategic objectives at each Council and ensure resources were effectively utilised to achieve each Council's aims.

Bearing in mind all of the above points, salary levels for the senior managers were set at a level which reflected the extremely marketable experience built up by the senior managers who had been part of the successful achievements at North East Derbyshire District Council. This was to avoid the very real danger that key senior staff would be lost and it might not be possible to attract replacement candidates of the highest calibre necessary to maintain and accelerate the recent and ongoing momentum for service and organisational improvements. Following the Covid pandemic, the recruitment market has become significantly more competitive with the increase in hybrid/remote working options and greater focus on employee wellbeing/work life balance.

Chief Officers have significant responsibility for corporate management and operational issues, and detailed information about decision making delegated to senior managers can be found in the Constitution on the Council's website.

The decisions in respect of the review of salaries following the independent review were taken by Council, although smaller scale decisions about terms and conditions of service for the Chief Officers are taken by the Appointments Committee.

When revised senior management payscales are implemented reviews of senior management salaries take place with independent advice sought and benchmarking exercises undertaken to ensure salaries reflect the current structure and level of responsibilities undertaken within the organisation, whilst ensuring value for money for the taxpayer.

Grading Structure – Senior Management

The salaries indicated for senior management include nationally negotiated pay awards since April 2009

Managing Director

The Managing Director (Head of Paid Service) post is paid a single fixed point salary of £100,854

Directors

Incremental Points	Directors
1	£79,421
2	£81,734
3	£84,047
4	£86,361
5	£88,674
6	£90,704

No additional payments are made e.g. bonuses, allowances (other than those mentioned below) performance related pay or other benefits in kind.

Assistant Directors

Incremental Points	Assistant Directors
1	£56,172
2	£57,791
3	£59,411
4	£61,030
5	£62,649

The intention is these posts are characterised by their relatively high level of responsibilities, and would deputise, as appropriate, in the absence of the Director. This is an important element in the Council's succession planning and leadership development processes, as well as providing valuable strategic input.

Statutory Officers

There are three statutory officer roles: Head of Paid Service, Monitoring Officer and Chief Finance Officer, commonly referred to as Section 151 Officer.

Managing Director: It is the role of the Managing Director, also known as the Head of Paid Service, to ensure that all the authority's functions are properly co-ordinated as well as organising staff and appointing appropriate management.

Local Government and Housing Act 1989 -

<https://www.legislation.gov.uk/ukpga/1989/42/section/4>

Section 151 Officer: Section 151 of the Local Government Act 1972 requires local authorities to make arrangements for the proper administration of their financial affairs and appoint a S151 Officer, also known as a Chief Financial Officer (CFO), to have responsibility for those arrangements.

The CFO must lead on a local authority's financial functions and ensure they are fit for purpose. CFOs must be professionally qualified and suitably experienced.

In correspondence with the Local Government Finance Act 1988 the CFO must be a member of one of the following bodies in order to qualify as a responsible officer: (a) the Institute of Chartered Accountants in England and Wales, (b) the Institute of Chartered Accountants of Scotland, (c) the Chartered Association of Certified Accountants, (d) the Chartered Institute of Public Finance and Accountancy, (e) the Institute of Chartered Accountants in Ireland, (f) the Chartered Institute of Management Accountants, and (g) any other body of accountants established in the United Kingdom and for the time being approved by the Secretary of State for the purposes of this section.

Local Government Act 1972 -

<https://www.legislation.gov.uk/ukpga/1972/70/section/151>

Local Government Finance Act 1988 -

<https://www.legislation.gov.uk/ukpga/1988/41/section/113>

Monitoring Officer: It is the role of the Monitoring Officer to report on matters they believe to be illegal or amount to maladministration, to be responsible for matters relating to the conduct of councillors and officers and, to be responsible for the operation of the council's constitution. They are usually, the Head of Legal Services.

Local Government and Housing Act 1989 -

<https://www.legislation.gov.uk/ukpga/1989/42/section/5>

Remuneration

The Head of Paid Service role is undertaken by the Managing Director and is an integral part of the post and is rewarded as part of the substantive role. In the absence of the Managing Director, the deputising role will fall to a Director. The deputising role for the Head of Paid Service is reflected in the substantive salary paid to the Director.

Where the Section 151 or Monitoring Officer role is discharged at Director level it is rewarded as part of the substantive role and therefore no additional payment is payable.

Where the Section 151 or Monitoring Officer role is discharged below Director level, it is rewarded as an additional responsibility through an additional payment. Statutory Officers operating at Assistant Director level receive an additional payment of £5,075 p.a.

The deputising role for the Section 151 or Monitoring Officer role is reflected in the substantive salary paid and therefore no additional payment is payable.

Relationship between salaries

There is a pay differential of £44,682 between the lowest paid Assistant, Director and the Management Director.

The median salary of the whole workforce is £24,495 and the ratio of the Council's top earner to that of its median earner is 4.1:1

The mean salary is £27,077 per annum, and the ratio of the Council's top earner to the mean salary is 3.7:1

The Council does not anticipate these changing during the course of the financial year.

Terms and Conditions of Service

Managing Director, Directors and Assistant Directors are employed under the terms and conditions of service of the Joint Negotiating Committee for Chief Officers of Local Authorities. There are currently no additional local agreements relating to the employment of chief officers that represent a charge on the public purse, with the exception of election duties (see following paragraph).

Election Duties

The fee for Returning Officer duties is dependent upon the type of election, and is prescribed by Central Government by means of a Fees and Charges Order.

Honoraria and ex gratia payments

The Council does not make ex gratia payments.

An honorarium is payable in circumstances where an employee temporarily takes on duties and responsibilities which are at a higher level than those carried out within their substantive post. The amount of the honorarium is calculated by carrying out an evaluation, under the JNC Job Evaluation Scheme, which takes account of the additional duties. Where an employee carries out the full duties and responsibilities of a higher graded post for a temporary period, then they are paid the appropriate rate for the higher graded post, as identified under the Job Evaluation Scheme.

The same principles apply to all employees, including those on Chief Officer rates of pay.

Other financial benefits

The Council's Managing Director, Directors and Assistant Directors are not in receipt of any financial benefits that are not also available to other employees. For example, subsistence allowances are payable to all employees who are away from their base for lengthy periods as follows:

Employees can claim for actual expenditure, supported by receipts, up to a maximum of the following amounts:

Breakfast: £5.61 (payable if employee left home on official business before 7.00am)

Lunch: £7.73 (payable if employee is away from the office between 11.30am and 2.30pm)

Tea: £3.04 (payable if the employee is absent from home and office after 6.30pm on official business)

Evening meal: £9.37 (payable if the employee is absent from home and office after 8.30pm)

Overnight: £3.63 per night (payable if away from home on business overnight)

Weekly: £14.55 (payable if away on business for a week or more)

Other expenses such as taxi, bus or train fares, parking fees etc can be reimbursed provided they are approved and valid receipts are attached to the expenses claim form.

Essential User Allowance is payable to employees who meet specified criteria. Although nationally there are three levels of payment which are linked to the size of the vehicle's engine, this Council pays at the lowest rate only as follows:

Essential Users

Lump sum per annum	£846
per mile first 8,500	36.9p
per mile after 8,500	13.7p

Whilst senior management do not always meet the minimum 1500 miles, senior officers currently receive this Allowance because of the requirement to have a vehicle available at all times to allow them to respond to urgent incidents.

Professional fees are paid for any employee for whom it is an essential requirement that they hold a professional qualification and are members of a professional body.

The Council has a policy of not allowing employees to accept gifts or other inducements, and if such gestures are made then the gift is recorded and donated to the Chair's current charity.

A mobile telephone is provided to employees who are frequently away from their office, or not office-based and all senior managers are included. In addition to providing the mobile phone, the cost of the monthly rental is paid as well as business related calls.

Incremental Progression

The policy of the Council in respect of incremental progression is the same whatever the level of the post. Appointment is generally to the lowest point on the scale, unless the individual already works in local government and is currently paid at a higher point, in which case they will be appointed to the incremental point above that which is closest to the employee's existing salary (up to a maximum at the top of the grade). Where relevant, incremental increases take place on 1 April each year, except when a new appointment is made between 1 October and 31 March, in which case the first increment is payable six months after appointment.

Pensions

Employees of the Council pay a contribution to the Pension Scheme relative to their annual full-time equivalent pensionable pay (including pensionable allowances). The contribution rates for 2022/2023 have altered slightly as per below;

England and Wales – employee contribution rates for 2022/23

Actual Pensionable Pay (based on latest pay x 12)	Employee Contribution rate
Up to £15,000	5.5%
£15,001 to £23,600	5.8%
£23,601 to £38,300	6.5%
£38,301 to £48,500	6.8%
£48,501 to £67,900	8.5%
£67,901 to £96,200	9.9%
£96,201 to £113,400	10.5%
£113,401 to £170,100	11.4%
£170,101 or more	12.5%

The Employer's contribution at NEDDC is currently 14.7% of pensionable pay.

There are a number of discretions available under the Local Government Pension Scheme, and as a matter of policy, NEDDC does not usually exercise any discretion that would represent a cost to the Council.

Flexible Retirement

Under the terms of the Local Government Pension scheme, an employee aged 55 or over can elect to reduce their hours or their grade and request early release of pension benefits. This is a provision available to all employees.

The Council has a degree of discretion, as the needs of the service take precedence at all times over the scheme, and the Council's Policy on Flexible Retirement makes clear that it will only agree to such requests where there is no cost to the Council in doing so, ie either the employee has already passed their earliest retirement date or where the cost of early release is met by the employee via a reduced pension.

Re-employment of employees in receipt of a pension

Under the terms of the Local Government Pension scheme, an employee who has retired from local government service and is in receipt of a pension may reapply for local government employment. However where this happens the pension is subject to abatement, i.e. if the pension added to the new salary is higher than the original salary then the amount of pension will be reduced accordingly. There are currently no re-employed pensioners in senior management positions.

Payment on termination of employment

Where a post is deleted following a review of service (redundancy), or where an employee is retired 'in the interests of the efficient exercise of the Authority's functions', a compensatory payment is made.

In the case of redundancy, a sum is payable based on the national redundancy table with a multiplier of 1.5. The Council exercises its discretion in these cases to base the payment on actual weeks' pay, and the maximum payable in these circumstances is 45 weeks' pay for service of 20 years or over.

Under the Local Government Pension Scheme, pension benefits are payable with immediate effect to any employee whose employment is terminated on grounds of redundancy or efficient exercise and who is aged 55 or over.

Holiday Entitlement

The annual leave entitlement for senior managers is 36 days per year plus 3 days per annum to cover the Christmas closedown period. All Chief Officers are entitled to 8 bank holidays plus any additional bank holidays agreed at national level. The annual leave year commences on the first of the month in which an employee birthday falls.