

## **Remuneration Committee Wednesday, 2 February 2022**

### **ADDENDA**

#### **5. Establishment of Remuneration (Appointments) Sub-Committee (Pages 1 - 2)**

Report by Director of Law and Governance

#### **RECOMMENDATION**

1. The Committee is RECOMMENDED to
  - a) Agree to establish a Remuneration (Appointments) Sub-Committee to undertake the recruitment of a permanent Chief Executive

#### **6. Revised Pay Policy (Pages 3 - 16)**

Report by Director of Human Resources

#### **RECOMMENDATION**

2. The Committee is RECOMMENDED to:
  - a) Receive the amended pay policy detailed at Annex A
  - b) Recommend the 2022/23 Pay Policy Statement to Full Council for approval

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Divisions Affected - All

## **REMUNERATION COMMITTEE**

**2 February 2022**

### **Establishment of Remuneration (Appointments) Sub-Committee**

**Report by Director of Law and Governance**

## **RECOMMENDATION**

1. **The Committee is RECOMMENDED to**
  - a) **Agree to establish a Remuneration (Appointments) Sub-Committee to undertake the recruitment of a permanent Chief Executive**

### **Executive Summary**

2. In light of the agreement to mutually to serve notice to end the formal S113 Agreement between Oxfordshire County Council and Cherwell District Council the current joint Chief Executive will return to her substantive role as Chief Executive of Cherwell District Council. It is therefore necessary for OCC to make arrangements to appoint a permanent Chief Executive and Head of Paid Service.
3. This report seeks the Committees approval to establish a Remuneration (Appointments) Sub-Committee in line with the Officer Employment Procedure Rules as set out at part 8.4 of the Constitution.
4. The role of that Sub-Committee will be to make recommendations to Full Council on the appointment of the Chief Executive (Head of Paid Service).
5. The Constitution does not specify the make up of the Remuneration (Appointments) Sub-Committee. Previously the Sub-Committee has comprised 3 members, including Group Leaders.

### **Appointment of Sub-Committee**

6. The Constitution states at part 8 (4) (a) that recruitment and appointment of the Head of Paid Service is covered by Article 13.
7. The Constitution states at part 8 (4) (d) where the Council proposes to appoint an officer to whom this Rule applies and it is not proposed that the appointment be made exclusively from among its existing officers, the Council will:
  - (i) draw up a statement specifying the duties of the officer concerned and any qualifications or qualities to be sought in the person to be appointed;

- (ii) make arrangements for the post to be advertised in such a way as is likely to bring it to the attention of persons who are qualified to apply for it; and
- (iii) make arrangements for a copy of the statement as to canvassing mentioned below to be sent to any person on request.

8. The sub-committee will be required to endorse the proposed documents detailed at paragraph 7 above. .

## **Financial Implications**

9. The existing budget only includes the provision for the Chief Executive's salary based on prior shared arrangements under the s113 agreement. . The impact cannot be quantified until permanent structures are put in place during 2022/23. It is proposed therefore, that any additional costs that may be incurred as the result of new structures are met from the contingency budget and addressed on a permanent basis as part of the Budget & Business Planning process for 2023/24.

## **Legal Implications**

10. The Chief Executive is the Head of Paid Service under Part 2, Article 13, Paragraph 1(d) of the Constitution.

11. The Remuneration Committee is responsible for undertaking the recruitment process of the designated Head of Paid Service (Chief Executive) and recommending the appointment to Council (Constitution Part 8.4)

12. The Local Authorities (Standing Orders) (England) (Regulations) 2001 (as amended set out the requirements for appointing a Head of Paid Service (Chief Executive). These requirements are also set out in Part 8.4 of the Council's Constitution. A proposed appointment of a Head of Paid Service must be notified to Cabinet Members, who will have the opportunity to raise any objections. The appointment must be approved by full Council.

13. In accordance with Section 7 of the Local Government and Housing Act 1989 when appointing a person to a paid office or employment within the Council the appointment shall be on merit.

Anita Bradley  
Director of Law and Governance

Annex: None

Background papers: None

Contact Officer: Karen Edwards  
Diretcor of Human Resources

January 2022

Divisions Affected - All

## **REMUNERATION COMMITTEE**

**2 February 2022**

### **Pay Policy Statement**

**Report by Director of Human Resources**

## **RECOMMENDATION**

1. **The Committee is RECOMMENDED to:**
  - a) **Receive the amended pay policy detailed at Annex A**
  - b) **Recommend the 2022/23 Pay Policy Statement to Full Council for approval**

## **Executive Summary**

### **Pay Policy Statement**

2. The Localism Act requires all councils to agree and publish a Pay Policy Statement every financial year. The Act lays down requirements on the content of the statement. This requirement is supplemented by detailed guidance from the Department for Communities and Local Government entitled 'Openness and Accountability in Local Pay: Guidance under Section 40 of the Localism Act'.
3. The Pay Policy Statement must contain the following:
  - The ratio between the highest paid chief officer and the lowest paid employees at the council and the highest paid chief officer and the median pay point at the council.
  - The ratio between the average salary of all chief officers and the lowest paid employees and the average salary of all chief officers and the median pay point at the council.
  - The appointment arrangements for all chief officers at the council.
  - Pay strategy, design, structures, and arrangements including job evaluation methods and arrangements for pay progression.
  - Pay arrangements on termination of employment
4. In addition, the code of Recommended Practice for Local Authorities on Data Transparency (updated in 2014) requires that councils publish prescribed information on senior pay, jobs and organisational structures.
5. The Act requires the Pay Policy Statement to be agreed by full Council. As required by the Act and Code of Practice, once approved by Council the Pay Policy Statement will be published on the Council's website and will be available on request

6. The Council's Constitution (Part 2, Article 11) sets out that one of the roles and functions of the Remuneration Committee is "To make recommendations to Council on the content of an annual pay policy statement for each forthcoming year".
7. The Committee considered the draft Pay Policy Statement at its 13 January 2022 meeting and made a number of comments.
8. The Pay Policy Statement at Annex A contains remuneration data as at 31 January 2022 and fulfils the requirements set down by the relevant legislation and codes. It has been updated to take account of the Committee's deliberations at its 13 January meeting and also to reflect the proposed appointment to a post of interim Chief Executive for the Council solely following the mutual agreement to formally end the S113 Partnership Agreement between Oxfordshire County Council and Cherwell District Council.
9. The Committee is asked to consider the Pay Policy Statement at Annex A and approve it for recommendation to Full Council.

### **Financial Implications**

10. There are no financial implications arising directly from this report.

### **Legal Implications**

11. The Localism Act 2011 requires Council's to approve its Annual Pay Policy Statement by 31 March each year and to publish it as soon as reasonably practicable after it has been approved.
12. The Pay Policy Statement will be submitted to the 8 February Council meeting for approval, ensuring the Council fulfils this requirement.

Annex: Annex A: Pay Policy Statement

Background papers: None

Contact Officer: Karen Edwards  
Director of Human Resources

January 2022



## **Oxfordshire County Council**

### **Pay Policy Statement**

This policy statement has been reviewed by the Remuneration Committee and has been approved by the Council. It will be subject to review annually and in accordance with new or proposed legislation to ensure that it remains relevant and effective. It is effective from 1<sup>st</sup> April 2022

# TABLE OF CONTENTS

Content	Page
Introduction and Purpose	3
Definitions	3, 4, 5
Pay Strategy	5
Pay Design	5
Joint Working	6
Appointments	6
Pay Structures	7
Pay Grades and Progression	7
Pay Supplements	8
Other employment related arrangements	9
Local Government Pension Scheme	9
Fire Brigade Pension Scheme	9
Benefits Schemes	9
Expenses	9
Pay arrangements for Senior Management	10
Pay Multiples and Medians as of 9 <sup>th</sup> February 2022	10
Payments on termination of employment	11
Publication of Senior Salaries	12



## **1. Introduction, Overview and Purpose**

Under Section 112 of the Local Government Act 1972, the Council has the “power to appoint officers on such reasonable terms and conditions as the authority thinks fit”. This Pay Policy Statement (the ‘statement’) sets out the Council’s approach to pay policy in accordance with the requirements of Section 38-43 of the Localism Act 2011 and due regard to the associated Statutory Guidance including the Supplementary Statutory Guidance issued in February 2013 and guidance issued under the Local Government Transparency Code 2015.

The purpose of this statement is to provide transparency with regard to the Council’s approach to setting the pay of its employees, excluding teaching staff, employees working in local authority schools and academies and alternative service delivery models.

This statement details the methods by which salaries for all roles are determined. This statement will be published on the Council’s public website and will be available in other formats upon request.

Procedural and approval requirements set down in the Council’s Constitution will be applied as required.

In determining the pay and remuneration of all its employees, the Council takes account of the need to ensure value for money in respect of the use of public expenditure.

The Council also aims to develop and implement rewards systems and structures which meet the following requirements.

- Allow the Council to recruit and retain high calibre employees to provide high quality services
- Maintain levels of pay which are in line with the Council’s financial policies and provide value for money
- Are open, transparent and accountable
- Are fair and consistent

Once approved, this policy statement will come into effect on the 1<sup>st</sup> April 2022 superseding the 2021/22 statement and will continue to be reviewed on an annual basis.

## **2. Definitions**

To support the transparency of the Pay Policy Statement, below are definitions for common words/phrases that are used throughout.

## 2.1. Remuneration

For the purposes of this statement remuneration includes three elements – basic salary, pension and all other allowances arising from employment.

## 2.2. Chief Officers

The definition of Chief Officers is defined as the officer designated as the Head of the Authority's Paid Service; a statutory chief officer – which under the Local Government and Housing Act 1989 means Director of Children's Services, Director of Adult Social Services, Director of Public Health, Section 151 Officer and Monitoring Officer.

The definition of a non-statutory chief officer which under section 2 (7) of the 1989 Act means direct reports of the Head of Paid Service (HOPS), a person for whom the HOPS is directly responsible; a person who, as respects all or most of the duties of his/her post, is required to report directly or is directly accountable to the head of the authority's paid service; and any person who, as respects all or most of the duties of his/her post, is required to report directly or is directly accountable to the local authority themselves or any committee or sub-committee of the authority.

In the case of the Council these posts are:

- Chief Executive (Head of Paid Service)

### Statutory Chief Officers

- Corporate Director of Children's Services
- Corporate Director of Adult Services
- Corporate Director of Public Health
- Director of Finance and Section 151 Officer
- Director of Law and Governance and Monitoring Officer

### Non-Statutory Chief Officers

- Corporate Director of Customers, Organisational Development and Resources
- Corporate Director of Commercial Development, Assets and Investment
- Corporate Director of Environment and Place

## 2.3. Lowest Paid Employees

According to the pay scales, the lowest pay that employees receive is on Grade 1, Spinal Point 1 which is the lowest standard pay point. The salary on this grade is currently payable to staff carrying out cleaning roles. Lowest paid employees exclude apprentices due to their trainee status and exclude staff who transferred into the Council under TUPE protected rates.

## 2.4. Pay Multiples

The pay multiple is the relationship between two different pay amounts, showing the number of times one value is contained within another value. The relationships will be shown between:

- the highest paid taxable earnings (including base salary, variable pay, bonuses, allowances and cash value of any benefits in kind) and the lowest paid taxable earnings.
- the highest paid taxable earnings (including base salary, variable pay, bonuses, allowances and the cash value of any benefits in kind) and the median earnings figure of the whole workforce.
- the average median salary of Chief Officers and the median earnings figure of the whole workforce.

## 3. Pay Strategy

We undertake a review of the remuneration of all staff each year, taking into consideration hourly pay rates and other significant benefits such as annual leave above the statutory requirements, employer pension contributions and training and development. We believe that taking a holistic view to remuneration ensures that our staff are rewarded fairly and encourages us all to think of total reward packages rather than a single component such as base pay.

When annual leave above the statutory minimum requirements and employer pensions contributions are added to our lowest pay rates, the hourly rate equates to £11.25 this is currently 18.42% above the April 2022 rates for UK Living Wage of £9.50, 13.64% above the Real Living Wage of £9.90 and 7.14% more than the Oxford Living Wage of £10.50. However, it is important to note that the pay award for 2021/22 (at time of writing) had not been agreed and negotiations for the 22/23 pay award had not yet commenced.

## 4. Pay Design

There are 8 pay schemes in operation in agreement with trade unions. These are:

- Joint Negotiating Committee for Chief Officers
- Green Book (majority of Council employees)
- Gold Book (National Joint Council for Chief and Assistant Chief Fire Officers)
- Grey Book (Firefighters)
- Blue Book (Soulbury Committee covering Educational Psychologists)
- Burgundy Book (Teachers)
- National Joint Council for Coroners
- Public Health (NHS)

The Council ensures that all pay arrangements can be objectively justified through the use of Job Evaluation methods. These are:

- National Joint Council job evaluation scheme up to Grade 18.
- Roles above Grade 18 are subject to a separate Local Government Association approved Senior Manager job evaluation scheme.
- All Chief Officer and Deputy Chief Officer roles were subject to a comprehensive external and independent review in 2020 and salaries reflect the outcome of that review.

Grading structures for all groups of employees are implemented in line with agreed published pay scales and agreed relevant national terms and conditions of employment.

## 5. Joint Working

With the exception of the Chief Executive, Monitoring Officer, s151 Officer and the Corporate Director of Children’s Services, all other Statutory and non Statutory Chief Officers and many Deputy Chief Officer appointments are shared appointments with Cherwell District Council and will be reviewed following the mutual agreement to formally end the S113 Partnership Agreement between Oxfordshire County Council and Cherwell District Council.

## 6. Appointments

The Remuneration Committee is the appointing body for all Statutory and non-statutory Chief Officer appointments.

Post	Regulatory Description	Appointment under Constitution
Head of Paid Service	Head of Paid Service	Remuneration Committee with recommendation to Full Council
Corporate Director of Children’s Services	Statutory Chief Officer	Remuneration Committee
Corporate Director of Adults	Statutory Chief Officer	Remuneration Committee
Corporate Director of Public Health	Statutory Chief Officer	Remuneration Committee

(s151 Officer) Director of Finance	Statutory Chief Officer	Remuneration Committee with recommendation to Full Council
Monitoring Officer	Statutory Chief Officer	Remuneration Committee with recommendation to Full Council
Corporate Director Customers, Organisational Development and Resources	Non-statutory Chief Officer	Remuneration Committee
Corporate Director of Commercial Development, Assets and Investment	Non-statutory Chief Officer	Remuneration Committee
Corporate Director of Environment and Place	Non-statutory Chief Officer	Remuneration Committee

It still remains that the Cabinet consultation procedure would be utilised as required by regulations for Chief Officer posts.

Any pay or grading changes for Chief Officers are considered and, if agreed, approved by the Remuneration Committee.

Salary packages for new posts in excess of £100,000 per annum will be subject to formal approval by the Remuneration Committee.

## 7. Pay Structures

### 7.1. Pay Grades and Progression

Most jobs have a grade with at least four incremental points and some grades have six points. When an employee is appointed to a new role it is typically at the bottom of the grade, unless they have significant experience in a similar role.

Annually and usually with effect from 1<sup>st</sup> April (Green Book, Chief Officers, Public Health (NHS), Coroners), 1<sup>st</sup> July (Fire and Rescue), 1<sup>st</sup> September (Soulbury, Teachers) and 1<sup>st</sup> January (Chief and Assistant Chief Fire Officers), pay awards are implemented in line with national negotiations. Employees progress to the next incremental point as long as they have been on their existing pay point for six months or more. This system recognises their increasing experience and performance progression continues until they reach the top of the grade.

High levels of performance are expected from all employees and where standards are non-satisfactory prompt managerial action will be taken to improve performance. This may include disciplinary/capability action in accordance with agreed procedures.

## **7.2. Pay Supplements**

From time to time it may be necessary to pay special allowances or supplements to individual employees as part of their employment contract where specific circumstances require this and where it can be justified in accordance with the Council policies. Such allowances are determined by Council policy. The Council uses the following:

- Market Supplements in order to attract and retain employees with particular experience, skills and capacity, for example when there are skills shortages locally or nationally. Market supplements must be agreed by the Job Evaluation Moderation Panel which is responsible for the local determination of job grades.
- Honoraria may be paid where an employee has taken on additional duties and responsibilities for a defined period, for example covering a vacancy or taking on a special project.
- A Golden Hello of up to £3,500 is used to encourage experienced children's social workers into the Assessment and Family Support Teams.
- An Introductory Fee may be paid to an employee who formally introduces a children's social work applicant, and they are successfully appointed to an approved post. The introductory fee will be paid to the introducer.
- On Call Allowances to compensate employees for their requirement to be available with limited notice.
- Car Allowances are applicable in a minority of circumstances such as when staff have transferred into the Council under TUPE.
- Certain roles also attract shift allowances for working evenings, weekends and/or bank holidays. Night shift premiums and allowances for waking nights are also applicable in certain roles.

The Council will ensure that the requirement for an additional allowance or supplement is objectively justified by reference to clear and transparent evidence and where market supplements are considered, this is with reference to data available from within and outside the Local Government sector.

Pay Supplements are subject to reviews as appropriate

## **8. Other Employment Related Arrangements**

### **8.1. Local Government Pension Scheme (LGPS)**

Subject to qualifying conditions, employees have a right to belong to the LGPS.

The Employee contribution rates which are defined by statute, currently range between 5.5% and 12.5% of pensionable pay depending on actual salary levels.

The Employer contribution rates are set by actuaries and reviewed on a triennial basis in order to ensure the scheme is appropriately funded. The current average rate is 19.9%.

The Council will not at any time augment the pension or membership of employees nor award or fund additional pension to employees unless required to do so by the LGPS Regulations.

### **8.2. Fire Brigade Pension Schemes**

Subject to qualifying conditions, employees have a right to belong to one of several Firefighters' Pension Schemes.

The employee contribution rates are dependent upon which Scheme the employee is a member of and their actual salary levels. The rates currently range between 8.5% and 17% of pensionable pay.

The Employer contribution rates also vary depending on the Scheme between 27.4% and 37.3%.

### **8.3. Benefits Schemes**

As part of the Reward Strategy to recruit and retain high calibre employees, the Council provides a wide range of benefits including Cycle to Work, Childcare Voucher, and Electric Vehicle salary sacrifice schemes as well as discounts to support the local economy.

A full review of the benefits offered by the council is continuing in 2022.

### **8.4. Expenses**

Expenses are based on nationally agreed levels except car mileage which is based on the HM Revenue & Customs approved rate, currently 45 pence per mile, falling to 25 pence for miles travelled in excess of 10,000 per annum.

## **9. Pay Arrangements for Senior Management**

**9.1** With the exception of the Chief Executive, Monitoring Officer, s151 Officer and the Corporate Director of Children's Services, all other Statutory and non

Statutory Chief Officers and many Deputy Chief Officer appointments are currently joint appointments with Cherwell District Council. The funding for all joint posts is currently shared between both authorities and this will be reviewed following the mutual agreement to formally end the S113 Partnership Agreement between Oxfordshire County Council and Cherwell District Council.

**9.2** Pay scales are reviewed annually by the Joint Negotiating Committee for Chief Executives, Joint Negotiating Committee for Chief Officers and the National Joint Council for Chief and Assistant Chief Fire Officers (as applicable) and changes usually take effect from 1<sup>st</sup> April.

The Council does not apply any bonuses or performance related pay to its Chief or Deputy Chief Officers.

Where the Chief Executive or other officer receives election fees these will be shown separately to salary. These fees are set annually by the Council's Audit and Governance Committee. In addition, a comprehensive review of election fees is undertaken by the Audit and Governance Committee every four years in readiness for the County quadrennial elections.

## **10. Pay Multiples and Medians as at 9<sup>th</sup> February 2022**

The County Council is required to report on the pay multiples between its lowest and highest paid members of staff.

**Table 1** shows the ratio between the lowest paid and the highest paid role and the ratio between the median salary of the workforce and the highest paid.

<b>Pay Multiples</b>	<b>2021/2022</b>
Highest Paid – Interim Chief Executive (Oxfordshire County Council)	£185,000
Lowest Paid	£17,842
Pay Multiple between the lowest paid and the highest paid	1:10.37
Median Salary	£31,346
Pay Multiple between median and highest paid	1:5.9



**Table 2** shows the ratio between the median salary of the workforce and the average salary of its Chief Officers, including those that are currently **joint roles and jointly funded with Cherwell District Council**

Pay Multiples using the <b>average</b> salary of Chief Officers	<b>2021/2022</b>
Average Salary of Chief Officers	140,733
Lowest Paid	£17,842
Pay Multiple between the lowest paid and the Average Salary of Chief Officers	1:7.89
Median Salary	£31,346
Pay Multiple between Median salary and Average salary of Chief Officers	1:4.49

## 11. Payments on Termination of Employment

The Oxfordshire County Council Redundancy Scheme applies to all employees and is currently one and half times statutory entitlement based on actual pay. It will apply where redundancy payments are due.

All employees who have received a redundancy payment in relation to the termination of their contracts of employment will be subject to the provisions of the Redundancy Modification Order and will be subject to Local Government Pension Scheme (LGPS) Regulations or other pensions scheme regulations where applicable.

Severance payments for all employees will comply with the Council's Pensions and Retirement Policy. This sets out that early retirement may be granted for employees aged 55 years and over with at least two years membership of the LGPS.

Where the severance payments are appropriate such payments will be approved by the Director of Law and Governance and the Director of Finance and will be the subject of a Settlement Agreement for the purpose of compromising any compensation for which the Council may otherwise be legally liable.

## 12. Gender Pay Gap Report

The Council complies with the Equality Act 2010 (Specific Duties and Public Authorities) Regulations 2017 in publicly reporting on average pay differences between their male and female employees. This report is available in a separate document.

### **13.Publication of Senior Salaries Statement**

In accordance with publication requirements, there are two tables published on the Council's website. The first showing information on the number of employees earning above £50,000 and the second showing the individual remuneration details for each senior employee, defined by regulations as the Chief Officers listed above, whose salary is more than £50,000 per year. All allowances and other payments will be shown. Only those employees whose salary is above £150,000 are disclosed by name, all remaining senior officers are disclosed by post title.

Karen Edwards  
Director of Human Resources  
February 2022