



London Borough of Hammersmith & Fulham

COUNCIL

27 February 2013

PAY POLICY OF THE LONDON BOROUGH OF HAMMERSMITH AND FULHAM

Report of the Leader of the Council – Councillor Nicholas Botterill

Open Report

Classification - For Decision

Key Decision: No

Wards Affected: None

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1. EXECUTIVE SUMMARY

- 1.1 Under Section 38(1) of the Localism Act 2011, the Council is required to prepare a pay policy statement, which must be prepared each financial year beginning with 2012/13. This pay statement must be approved by the full council. The provisions of the Act do not apply to local authority schools.

2. RECOMMENDATIONS

- 2.1 That Council approve the pay policy and endorse the pay schemes attached at Appendices 1, 2 and 3.
- 2.2 That Council notes the Council's Pensions Policy attached as Appendix 4 and the Councillors' Allowances scheme, submitted to this meeting as a separate item, which will constitute Appendix 5 of the report.

3 REASONS FOR DECISION

- 3.1 A decision is required in order to publish the pay policy and appendices as required by the Localism Act 2011.

4 INTRODUCTION AND BACKGROUND

- 4.1 Under Section 38(1) of the Localism Act 2011, the council is required to prepare a pay policy statement, which must be prepared each financial year beginning with 2012/13. This pay statement must be approved by the full council. The provisions of the Act do not apply to local authority schools.
- 4.2 Approved pay policy statements must be published on the council's website as soon as reasonably practicable after being approved. The Act also requires that the council includes in its pay policy statement, its approach to the publication and access to information relating to the remuneration of chief officers. Remuneration includes salary or payment for a contract for services, expenses, bonuses, and performance related pay as well as severance payments. The definition of chief officers includes the Head of Paid Service, statutory chief officers, non-statutory chief officers and those who report to them.
- 4.3 Section 38(1) of the Act also requires the council to set out its policy on remuneration for its highest paid staff alongside its policies towards its lowest paid employees. In particular, it requires the council to explain what it thinks the relationship should be between the remuneration of its chief officers and other employees and to set out policy on the lowest paid (outlined in the paragraph on 'Definitions' within the pay policy). The council must include its current policy towards maintaining or reaching a specific pay multiple, within its broader policy on how pay and reward should be fairly dispersed across its workforce.
- 4.4 So far as other elements of senior remuneration are concerned, including bonuses, performance related pay (PRP), severance payments and the payment of fees for election duties, the council must also make it clear what approach it takes to the setting and publishing of these.
- 4.5 The pay policy must also deal with a number of aspects of re-employment of staff. The council must explain its policy in relation to the payment of salary and pension to the same individual. It must also set out its policy in relation to the re-employment of chief officers who have retired and may be re-employed on a contract for services.
- 4.6 The proposed policy for H&F is set out at the end of this report.
- 4.7 The council must, in setting pay policy statements have regard to any guidance issued by the Secretary of State. In September 2011, The Department for Communities and Local Government (DCLG) published The Code of Recommended Practice for Local Authorities on Data Transparency setting out as a minimum the public data that should be released. In addition in November 2011 when the Act became law, the DCLG published further guidance under section 40 of the Localism Act which requires relevant authorities to prepare pay policy statements. Due regard has been had to the guidance in the preparation of this policy.

- 4.8 The policy statement must be approved by a resolution of full council before it comes into force. Once in force it must be complied with, although it may be amended by full council during the financial year. It must always be published on the council's website as soon as reasonably practicable after approval or amendment.

5 PROPOSAL AND ISSUES

- 5.1 The Government guidance for local authorities on the preparation of a pay policy recommends the calculation and publication of an authority's pay multiple. That is the relationship between the median salary in the organisation and the salary of its highest paid officer.
- 5.2 The median salary is defined as that salary point at which there are an equal number of salary points above and below it. The highest paid officer in H&F is the Joint Chief Executive.
- 5.3 The salary of the highest paid officer is divided by the median salary to arrive at the pay multiple. For H&F at the commencement of the 2013/14 financial year this ratio is 6.6. This remains unchanged from the 2012/13 financial year.

6 OPTIONS AND ANALYSIS OF OPTIONS

Not applicable.

7 CONSULTATION

None.

8 EQUALITY IMPLICATIONS

- 8.1 As mentioned, this report has been produced so that full council can ratify the publication of the pay policy statement on the council's website. There are no actions that impact on equalities and as a result, the report's equalities impact assessment (EIA) is rated as low. Therefore, a full EIA has not been completed.

9 LEGAL IMPLICATIONS

- 9.1 The statutory requirement created by Chapter 8 of Part 1 of the Localism Act 2011 (Sections 38-43) are summarised in the report and the policy. The policy complies with the statutory obligations.

Implications verified/completed by Tasnim Shawkat, Bi-borough Director of Law. Tel: 020 8753 2700.

10 FINANCIAL AND RESOURCES IMPLICATIONS

- 10.1 This report sets out the status quo on pay within the council, therefore there are no financial implications arising from the report.

Implications verified/completed by Jane West, Executive Director of Finance and Corporate Governance. Tel: 020 8753 1900.

11 RISK MANAGEMENT

None.

12 PROCUREMENT AND IT STRATEGY IMPLICATIONS

None.

LOCAL GOVERNMENT ACT 2000 **LIST OF BACKGROUND PAPERS USED IN PREPARING THIS REPORT**

No.	Description of Background Papers	Name/Ext of holder of file/copy	Department/ Location
1.	None		

LIST OF APPENDICES:

1. NJC Salary Scales and SMG Pay Ranges
2. Senior Manager Performance Scheme (SMG 3)
3. Senior Manager Performance Scheme (SMG 1 and 2)
4. Policy Statement – Local Government Pension Scheme and Discretionary Payments
5. Councillors' Allowances Scheme 2013/14 – this appendix is included elsewhere on the agenda as a separate item.

PAY POLICY STATEMENT

London Borough of Hammersmith and Fulham (H & F)

1. Fairness and Transparency

H & F is committed to paying its staff on a fair basis to reflect the work that they do. At the same time, it recognises that there is public interest in both the remuneration of its staff and the way in which that remuneration is set. It is therefore publishing this statement to ensure transparency and fulfil its obligations under section 38 (1) of the Localism Act 2011.

2. Vision and Values

- 2.1 As well as the council's vision for its services, it has developed a set of values for its staff and a portfolio of key behaviours. In addition, managers have a document which sets out the behaviour which the council requires employees to demonstrate.
- 2.2 The vision, values, key behaviours and guide to good management are used during the recruitment to vacant posts, discussions on learning and development needs, performance appraisal and the determination of performance related pay (PRP).
- 2.3 The council recognises that as an organisation which expects high standards and quality from its staff, it should reward them accordingly, both to recruit the best and to continue to motivate them.

3. Pay Design

- 3.1 Most of the council's staff have salaries which are set by national pay bargaining. Progression through the range is by increments and is related to satisfactory service. All staff have an annual performance appraisal.
- 3.2 In addition, more senior staff have separate, locally determined salary ranges which include an element of PRP. Each year, subject to satisfactory performance and target achievement, these staff can move through their pay range and receive a performance related consolidated increase (subject to not having reached the maximum of their pay range) and an unconsolidated payment linked to achievement of targets. The nationally negotiated pay ranges and the senior management pay schemes are set out in the attached Appendices 1, 2 and 3.
- 3.3 There are a number of additional performance related pay schemes for certain other groups of staff that pay up to 10% of salary. These are:

- Civil Enforcement Officers' Scheme
- Trade Waste and Markets and Street Trading Sales Incentive Scheme
- Corporate Anti-Fraud Service Scheme
- Development Management Performance Supplement Scheme
- Pest Control Officers Scheme

Details of these schemes are available on request.

- 3.4 The pay ranges for all posts in the council are determined through job evaluation to ensure fairness and equality. In respect of nationally negotiated ranges, this is done through the Greater London Provincial Council Job Evaluation Scheme developed some years ago for all councils in London. In relation to the senior pay ranges, the scheme devised by Hay management consultants is used.
- 3.5 In addition to these annual salaries, the council can choose to pay extra sums to staff to recognise market pressures or additional work undertaken. These may be pay supplements, acting-up allowances or honoraria. These are most likely to apply to staff below senior management level.
- 3.6 Starting salaries within pay ranges are determined by reference to market rates and an individual's existing salary.
- 3.7 Those officers who have statutory positions in relation to elections i.e. Returning Officer/ Acting Returning Officer and deputies also receive a fee in recognition of these roles. This fee reflects the advisory fee set for each election by the Ministry of Justice. There are also fees paid to staff who carry out the annual canvass of the electoral register and who undertake additional work at the time of the election – poll staff, inspectors, count staff, etc.
- 3.8 The council has a number of shared senior management posts and where these are in place, the remuneration is shared between the parties to the shared service agreement.

4. Other Rewards

The council tries to reflect best practice and market forces when determining additional benefits for its staff. In addition, it acknowledges that benefits are an important part of a recruitment package. All staff are therefore entitled to receive a range of benefits which the council either provides or has negotiated. These range from interest free travel loans, childcare and bike to work salary sacrifice schemes, training support and outplacement support, including career counselling for staff made redundant.

5. Pension and Severance Payments

- 5.1 A week's pay for the purpose of calculating a statutory redundancy payment is calculated in accordance with section 220 to 229 of the Employment Rights Act and the council exercises discretion to waive the statutory weekly pay limit. Under the provisions of the Local Government (Early Termination of Employment) Discretionary Compensation (England and Wales) Regulations 2006, the actual amount of a week's pay is used. A week's pay is the amount of pay that the employee is entitled to for working their normal contractual hours and any variable items of pay are averaged over the last 12 weeks ending on the calculation date.
- 5.2 Calculation of a full-time week's pay is subject to a locally agreed minimum, currently £518.62. This is approximately equal to 1.5 x H&F Minimum Earnings Guarantee, a local policy which ensures that no employee earns less than £331.56 per week.
- 5.3 The number of weeks redundancy is based on age and length of service at leaving and is subject to a statutory limit of 30 weeks' pay.
- 5.4 Staff are entitled to join the Local Government Pension Scheme (LGPS) and will receive their pension at their normal retirement age. Pension payments will be released early in certain circumstances including redundancy and ill health retirements provided the appropriate criteria of the local pension policy are met. There is a separate policy on pension payments which is attached as Appendix 4.
- 5.5 Under the LGPS, certain staff may request flexible retirement whereby they can retire early and continue to work on a part-time basis or on a reduced salary. The council retains the discretion to agree such arrangements as they are not a right.
- 5.6 The fact that an individual is already receiving a pension under the LGPS regulations does not prevent the council from appointing them. However if an employee is in receipt of a pension from a previous employer that is a member of the LGPS and they are recruited by the council, they must notify their pension provider of re-employment, even if they elect not to join the pension scheme here. It is the pension provider's responsibility to review their pension and if necessary make any reduction due to the level of earnings.
- 5.7 Where an employee of the council is in receipt of a pension from the Teachers Pension Scheme and is re-engaged by a school, their pension may be subject to reduction or suspension. Individuals would need to check their specific circumstances with Teachers Pensions. If an employee is in receipt of a pension from the LGPS the rules of that scheme will apply and their pension may be subject to reduction or

suspension in accordance with the policy of the authority that is paying the pension.

6. Publication and Access to Remuneration of Chief Officers and Other Senior Staff

The council publishes details of remuneration of chief officers in the Annual Statement of Accounts and on the council's Internet site. The council also publishes information about the level of remuneration of other senior staff on its internet site. This information is published for all staff earning more than £58,200 p.a.

7. Definitions

7.1 The pay ranges for senior staff reflect both market forces and the need to recruit and retain good staff. Annual increases for these staff have tended to reflect the nationally agreed salary increases.

7.2 The Localism Act requires the council to define its lowest paid employee. As set out in Appendix 1, this is an employee paid on salary point 2 of the national salary range. However, this is now paid by the council at a full-time equivalent hourly rate of £9.21, which represents our lowest paid employee (National Minimum Wage is currently £6.19 per hour and the London Living Wage is £8.55 per hour). The council will keep its policy with regard to its lowest paid under review. The council has commenced an intern scheme which pays at the National Minimum Wage.

7.3 In addition, the council is required to publish the pay multiple between the highest paid employee and the median salary of the workforce. The current multiple is 6.6. At present, the council deems this multiple to be appropriate and within an acceptable ratio of 1:10. The policy with regard to the pay multiple will be kept under review.

8. Remuneration Committee

The council does not have a remuneration committee to advise on pay policy including the setting of senior salaries and the level of Members' allowances.

9. Council Role

The Council will agree all proposed salary ranges, including performance related pay and fees, in excess of £100,000.