

Date of issue: Monday, 4 July 2022

<b>MEETING</b>	<b>EXTRAORDINARY EMPLOYMENT &amp; APPEALS COMMITTEE</b> (Councillors Ali (Chair), Bal, Ajaib, Basra, M. Bedi, Gahir, Grewal, Qaseem and Smith)
<b>DATE AND TIME:</b>	TUESDAY, 12TH JULY, 2022 AT 6.30 PM
<b>VENUE:</b>	COUNCIL CHAMBER - OBSERVATORY HOUSE, 25 WINDSOR ROAD, SL1 2EL
<b>DEMOCRATIC SERVICES OFFICER: (for all enquiries)</b>	MADELEINE MORGAN 07736 629 349

NOTICE OF MEETING

You are requested to attend the above Meeting at the time and date indicated to deal with the business set out in the following agenda.



**GAVIN JONES**  
Chief Executive

**AGENDA**

**PART 1**

**AGENDA**  
**ITEM**

**REPORT TITLE**

**PAGE**

**WARD**

**APOLOGIES FOR ABSENCE**

**CONSTITUTIONAL MATTERS**

- |    |                          |   |   |
|----|--------------------------|---|---|
| 1. | Declarations of Interest | - | - |
|----|--------------------------|---|---|

*All Members who believe they have a Disclosable Pecuniary or other Interest in any matter to be considered at the meeting must declare that interest and, having regard to the circumstances described in Section 9 and Appendix B of the Councillors' Code of Conduct, leave the meeting while the matter is discussed.*



**AGENDA**  
**ITEM**

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**SERVICE IMPLEMENTATION ISSUES**

2.	Pay Policy Statement Update 2022/2023	1 - 16	All
3.	New Management Structure	To Follow	All
4.	ICT and Digital Restructure	To Follow	All
5.	Date of Next Meeting - 12th October 2022		

**Press and Public**

**Attendance and accessibility:** You are welcome to attend this meeting which is open to the press and public, as an observer. You will however be asked to leave before any items in the Part II agenda are considered. For those hard of hearing an Induction Loop System is available in the Council Chamber.

**Webcasting and recording:** The public part of the meeting will be filmed by the Council for live and/or subsequent broadcast on the Council's website. The footage will remain on our website for 12 months. A copy of the recording will also be retained in accordance with the Council's data retention policy. By entering the meeting room and using the public seating area, you are consenting to being filmed and to the possible use of those images and sound recordings.

In addition, the law allows members of the public to take photographs, film, audio-record or tweet the proceedings at public meetings. Anyone proposing to do so is requested to advise the Democratic Services Officer before the start of the meeting. Filming or recording must be overt and persons filming should not move around the meeting room whilst filming nor should they obstruct proceedings or the public from viewing the meeting. The use of flash photography, additional lighting or any non hand held devices, including tripods, will not be allowed unless this has been discussed with the Democratic Services Officer.

**Emergency procedures:** The fire alarm is a continuous siren. If the alarm sounds Immediately vacate the premises by the nearest available exit at either the front or rear of the Chamber and proceed to the assembly point: The pavement of the service road outside of Westminster House, 31 Windsor Road.



**SLOUGH BOROUGH COUNCIL**

**REPORT TO:** Employment & Appeals Committee  
**DATE:** 12 July 2022  
**CONTACT OFFICER:** Surjit Nagra – AD Customer & HR  
**(For all enquiries:)**  
**WARD(S):** All

**PART I**  
**FOR DECISION**

**PAY POLICY STATEMENT UPDATE 2022/2023**

1. **Purpose of Report**

To provide Members with an update of the revisions to the Pay Policy Statement for the year 2022/23 as required by the Localism Act 2011. This report confirms the revisions to the pay elements since the last report presented to the committee on 16<sup>th</sup> February 2022.

2. **Recommendation(s)/Proposed Action**

The Committee is recommended to:

- (a) Recommend to full Council approval of the revised Pay Policy Statement 2022/23, as attached at Appendix A.

3. **Other Implications**

(a) **Financial**

The expected costs of all Council salaries are included within the annual revenue budget.

(b) **Risk Management**

None arising from this report.

(c) **Legal Implications**

Local Authorities are required by section 38 of the Localism Act 2011 (the Act) to prepare a pay policy statement and have regard for any guidance issued under section 40 of the Act and the Supplementary Guidance (on openness and accountability) released in February 2013. The policy statement should cover the following matters

- the remuneration of its chief officers,
- the remuneration of its lowest-paid employees, and
- the relationship between—
  - (i) the remuneration of its chief officers, and
  - (ii) the remuneration of its employees who are not chief officers.
- the definition of “lowest-paid employees” adopted by the authority for the purposes of the statement, and
- the authority’s reasons for adopting that definition.
- The statement must include the authority’s policies relating to—
  - (a) the level and elements of remuneration for each chief officer,
  - (b) remuneration of chief officers on recruitment,
  - (c) increases and additions to remuneration for each chief officer,
  - (d) the use of performance-related pay for chief officers,
  - (e) the use of bonuses for chief officers,
  - (f) the approach to the payment of chief officers on their ceasing to hold office under or to be employed by the authority, and
  - (g) the publication of and access to information relating to remuneration of chief officers.

The Pay Policy Statement appended to this report has been reviewed and meets the requirements of the Localism Act.

The Government has published statutory guidance on the making and disclosure of Special Severance Payments by local authorities in England. This refers to the need for a higher level of scrutiny in relation to decisions to pay “special severance payments”, which are defined as additional, discretionary sums on top of statutory and contractual entitlement. Prior to agreeing any special severance payments, local authorities should:

- Seek legal advice on the prospects of successfully defending an Employment Tribunal claim;
- Ensure payments are not made to avoid management action, disciplinary processes, unwelcome publicity or avoidance of embarrassment.
- Consider aligning with private sector practice and ensure prudent use of taxpayers’ money;
- Manage conflicts of interest to ensure that individuals who are subject of complaints play no role in deciding whether complaints should be settled.

The guidance confirms that special severance payments of £100,000 and above are approved by full council and recommends that special severance payments of £20,000 or more, but under £100,000 should be approved personally by the Head of Paid Service.

The Council’s pay policy statement confirms that payments made to settle a dispute are settled based on the legal merits of the case, the time and disruption which litigation would involve, limits on statutory entitlement and what is

considered prudent in the circumstances. It also confirms that any redundancy or severance package of £100,000 or more will be approved by full council.

(d) Equalities Impact Assessment

Part of the openness and accountability in local pay: guidance emphasises the need for fairness in relation to pay policies, particularly in relation to the approach for senior staff compared with the lowest paid staff. The Council already collects and monitors its workforce data by specific protected characteristics. One of the recovery themes in the approved Corporate Plan for 2022-25 is around leadership and culture, with a key improvement area for focus being development programmes to encourage diversity at all levels of the organisation and to work towards the Council's workforce better reflecting its diverse resident base at a senior leadership level.

4. **Supporting Information**

- 4.1 Committee on 16<sup>th</sup> February 2022 approved the Pay Policy Statement for 22/23, which was subsequently approved at Full Council.
- 4.2 Since the approval the national pay award has been agreed for the financial year 2021 / 2022. In addition, the statement has been reviewed to ensure it accurately captures the pay arrangements in place for interim officers. The revisions to the Pay Policy Statement have been actioned and are attached in Appendix A. The Council has a high number of interim post holders at chief officer level, meaning that the pay policy may need to be updated multiple times during the year to ensure that timely and accurate information on senior officers' pay is available to elected members and the public.
- 4.3 As stated at the last meeting the Pay Policy Statement enables residents to understand the Council's pay policy for senior staff and how it relates to the salaries of the lowest paid. It provides transparency and enables residents to assess whether salaries paid represent value for money.
- 4.3 The Pay Policy Statement covers the financial year 2022/23.
- 4.4 The pay scales have been updated in line with the national cost of living award and is shown in Appendix B.
- 4.5 Once approved the revised Pay Policy Statement, as attached at Appendix A will be published on the Council's website.

5. **Conclusion**

Members are requested to recommend approval of the revised Pay Policy Statement for 2022/23 as attached at Appendix A.

6. **Appendices Attached**

Appendix A - Pay Policy Statement 2022/2023

Appendix B - Slough Borough Council Salary Scales – 2021 - 2022

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## **APPENDIX A**

### **Pay Policy Statement for the Year 2022/2023 (as amended in June2022)**

#### **1 Introduction**

- 1.1 The Localism Act requires local authorities to publish, on their website, an annual Pay Policy Statement, which has been approved by Full Council.
- 1.2 No remuneration may be made to officers that fall outside of the Pay Policy Statement, although it is possible for a meeting of the Full Council to amend the statement at any time.
- 1.3 In drawing up this statement, Slough Borough Council has considered the guidance issued by the Department of Communities and Local Government in February 2012 and the supplementary guidance issues in February 2013. This government department is now known as the Department for Levelling Up Housing and Communities.
- 1.4 Slough Borough Council is committed to complying with the statutory obligation to pay the National Living Wage.

The rates in the table below are for the National Living Wage (for those aged 23 and over) and the National Minimum Wage (for those of at least school leaving age). The rates change on 1 April every year.

	<b>23 and over</b>	<b>21 – 22</b>	<b>18 – 20</b>	<b>Under 18</b>	<b>Apprentice</b>
<b>April 2022</b>	£9.50	£9.18	£6.83	£4.81	£4.81

- 1.5 This statement does not apply to schools' staff as local authority schools' employees are outside the scope of this legislation.
- 1.6 This statement has been approved by Full Council.
- 1.7 Slough Borough Council fully endorses and supports the requirement to be open and transparent about the pay of our staff.
- 1.8 The Council is committed to paying nationally negotiated pay awards and this Pay Policy Statement will be updated as and when any such pay awards are agreed.

## 2 Remuneration of Chief Officers

2.1 In accordance with the Localism Act, the following SBC posts have been defined as Chief Officers, and their salary bands are as follows:

<b>Head of the Paid Service and Chief Officers</b>		
<b>Post</b>	<b>Reports to</b>	<b>Salary Band</b>
Chief Executive/Head of Paid Service	Leader of the Council	£145,612 - £174,737 (Currently covered by an interim arrangement at a daily rate of £1,100per day, payable to Essex County Council)
Executive Director – People (Adults) (designated as statutory Director of Adults Social Services)	Chief Executive	£119,556 - £139,446 (From 9 <sup>th</sup> May 2022 covered by an acting up arrangement)
Executive Director – (Children) (Also Slough Children First Chief Executive) (designated as statutory Director of Children’s Services)	Chief Executive	£119,556 - £139,446 (Currently covered by an interim arrangement at a daily rate of £1000) for an average of 4 days per week
Executive Director – Corporate Operations (appointed as s.151 officer)	Chief Executive	£119,556 - £139,446 (Currently covered by an interim arrangement at a daily rate of £1000)
Executive Director – Place (non-statutory)	Chief Executive	£119,556 - £139,446 Vacant – role covered by Executive Director of Customer and Community)
Executive Director – Customer and Community (non-statutory)	Chief Executive	£119,556 - £139,446 (Post holder also covered role of Executive Director – Place
Executive Director - Strategy	Chief Executive	£119,556 - £139,446 Vacant
Monitoring Officer	Executive Director – Corporate Operations	£71,488 - £79,637 From 23/5/22 covered by officer from Harrow Council under inter-authority agreement at hourly rate agreed under that agreement,



		in addition to a monthly retainer of £2,500.
Director of Public Health	Joint role with other East Berkshire local authorities	One third covered by SBC - £53,900

2.2 As part of the changes which took place across the council in 2020 and 2021, there is 1 post which is covered by the Chief Executive terms and conditions and 6 Executive Director posts which are covered by the Chief Officer terms and conditions and the Monitoring Officer.

The remaining senior posts are now all covered by the National Joint Council for Local Government Officers (The Green Book).

<b>Posts that report to Executive Directors/ Chief Executive</b>		
<b>Post</b>	<b>Reports to</b>	<b>Salary Band</b>
Public Health Lead	Executive Director – People (Adults)	£82,329 – £96,023 Currently vacant
Associate Director – Adult Social Care	Executive Director – People (Adults)	SML13 £82,329 – £96,023 (currently acting up into the Executive Director – People (Adults))
Associate Director – People Strategy & Commissioning	Executive Director – People (Adults)	SML13 £82,329 – £96,023
Service Lead – Mental Health Services	Executive Director – People (Adults)	Employed by Berkshire Health Foundation Trust and SBC contribute 50% of the salary which is £65,664
Associate Director – Education & Inclusion	Executive Director – (Children)	SML13 £82,329 – £96,023 (also covering duties of Associate Director Children & Families)
Associate Director – Children & Families	Executive Director – (Children)	SML13 £82,329 – £96,023 Currently vacant, covered in part by AD – Education & Inclusion
Associate Director - Finance and Commercial	Executive Director – Corporate Operations	SML13 £82,329 – £96,023 Vacant – covered by interim at daily rate of £850

Associate Director – Customer & HR	Executive Director – Finance and Corporate Services	SML13 £82,329 – £96,023
Associate Director – Business Services	Executive Director – Finance and Corporate Services	SML13 £82,329 – £96,023
Associate Director – Place Strategy & Infrastructure	Executive Director – Place	SML13 £82,329 – £96,023
Associate Director – Place Regulation	Executive Director – Place	SML13 £82,329 – £96,023
Associate Director – Place Ops	Executive Director – Place	SML13 £82,329 – £96,023
Associate Director – Community & Housing	Executive Director – Place	SML13 £82,329 – £96,023 Currently vacant
Associate Director – Strategy & Improvement	Chief Executive	SML13 £82,329 – £96,023 Currently vacant

### 2.3 Job Evaluation

The pay of all employees, including Chief Officers, is based on job evaluations undertaken through the National Joint Council (NJC) Job Evaluation Scheme “Green Book”.

### 2.4 Terms and Conditions of Employment

The Chief Executive is employed on the JNC for Local Authority Chief Executive’s terms and conditions of employment.

Chief Officers are employed on Joint National Council terms and conditions for Chief Officers.

The remainder of staff are employed on the National Joint Council for Local Government Services or Teaching or Soulbury terms and conditions of employment.

### 2.5 Travel and Subsistence Expenses

There are occasions when employees incur additional expenditure than normal while undertaking their official duties on behalf of the Council away from their normal place of work. The Council has a comprehensive Travel and Subsistence Expenses Scheme, which applies to all our staff, including Chief Officers, in such circumstances.

### 2.6 Payment of Professional Fees

The Council will pay the cost of one professional subscription per annum, per employee, including Chief Officers, which is relevant and necessary for the role.

## 2.7 **Honoraria**

An honoraria payment may be made to an employee, including to a chief officer, in recognition of undertaking temporarily additional or outstanding extra work, which is: -

- Outside the normal scope of the duties and responsibilities of the employee
- Over an extended period undertaking part of the duties of a higher graded post
- Or where the additional duties and responsibilities are exceptionally onerous
- Or in situations which merit the employee being rewarded for specific work.

The Honoraria Scheme applies in these circumstances and the amount of payment is based on the duties undertaken.

## 2.8 **Acting Up**

Acting Up arises when an employee temporarily undertakes full or part duties of a higher graded post for a consecutive period of at least four weeks.

All employees, including Chief Officers, are entitled to an acting up payment in recognition of the responsibilities. Decisions on payment take into account the following: -

- The nature and complexity of the responsibilities, undertaken by the employee and their current spinal column point
- Whether the employee is undertaking full or part responsibilities
- If the employee is placed into post as a development opportunity

## 2.9 **Secondments**

Secondments are intended to provide developmental opportunities to gain skills and experience rather than for financial gain. Therefore, secondees will normally transfer from their current position into the secondment on their existing salary. Terms and conditions of the seconded may change depending on the local variations within the department. However, if there is a significant difference between the secondment and the individual's salary this must be brought to the attention of the Group Manager – HR and a decision will be taken, in conjunction with the AD /ED on whether to review salary arrangements in line with the complexities of the job.

## 2.10 **Market Supplements**

A market supplement is payable, in exceptional circumstances, for posts (including Chief Officer posts), which are critical to the delivery of essential/statutory services, and to which the Council has been unable to recruit or retain.

## **2.11 Pay Protection**

An employee, who is redeployed to a suitable post which is one grade lower, will receive protection of earnings (basic pay plus local weighting allowance) for a period of one year. The salary will be frozen at its current level and the employee will not receive annual pay awards. At the end of the protection period the employee will be placed on the salary grade relevant to the redeployed post.

Where an employee accepts redeployment to a post which is more than one grade lower, there is no entitlement to protection of earnings. In exceptional circumstances, to minimise financial hardship and avoid redundancies Executive Directors may, subject to budgetary considerations, exercise discretion to grant some element of protection. This would apply for no longer than one year.

## **2.12 Termination Payments**

In the event of a redundancy situation, all employees, including chief officers, are entitled to a redundancy payment based on a multiple of 1.5 times statutory provision, based on weekly pay, subject to a cap of 30 weeks as the maximum number of weeks payable, and to a cap of 20 years' service.

The terms, and any payment relating to the termination of employment of any officer of the Council in any contentious circumstances which do not result from an award made by an Employment Tribunal or Court are settled by the Council on the basis of the legal merits of the case, the time and disruption which protracted litigation would involve, any limit of statutory entitlement on monetary claim available to an employee, and what is considered prudent in all circumstances.

Any redundancy or severance packages of £100,000 or more will be approved by Full Council. In presenting the information to Full Council the components of any such severance package will be set out including salary paid in lieu; redundancy compensation; pension entitlements; holiday pay; and fees or allowances paid.

If an application for a post (including Chief Officer posts) is in receipt of a severance payment from any local authority, or a Local Government retirement pension, this does not form part of the council's decision as to whether or not they should be appointed.

Any employee who is made redundant, including Chief Officers, must have a break of at least four weeks to retain a redundancy payment before they can be re-employed by the Council or employed by another local authority. This is covered in Modification Order 1999.

### **.2.13 Pension Payments**

All employees who are members of the Local Government Pension Scheme, including Chief Officers, are entitled to a retirement pension calculated in accordance with the Local Government Pension Scheme Regulations.2.14

### **2.14 Arrangements to minimise payment of tax**

The Council regularly reviews arrangements with consultants and interim staff to ensure that these are not put in place to improperly minimise tax payments. This would cover officers under a contract for services outside of IR35.

### **2.15 Payment for election duties**

The Council's policy for payment of fees for election duties is published separately. The Council designates an officer as Returning Officer. Details of fees for election duties paid to senior management are published online

## **3 Remuneration of Our Lowest Paid Employees**

3.1 All SBC employees are paid in accordance with a locally determined salary scale, in accordance with their national terms, please refer to Appendix B.

3.2 Lowest Paid Employee means the employee on the lowest grade, assuming that the posts are full-time. The lowest grade is Level 2 £19,481, inclusive of Local Weighting.

### **3.3 Unsocial Hours Payments**

The Council has a comprehensive Working Pattern Arrangement Scheme which sets out the allowances payable for: -

- Overtime (up to and including Level 5)
- Saturday and Sunday working
- Bank holidays
- Night Working
- Sleeping-in-duty
- Shift working
- Standby, on-call and call-out

### **3.4 Terms and Conditions of Employment**

Pay awards are negotiated nationally for different groups of employees: -

- Chief Executive
- Chief Officers
- National Joint Council for Local Government
- Soulbury
- Teaching

## **4 Relationship between the Remuneration of Chief Executive and our lowest paid employees**

The actual pay of the last permanently employed Chief Executive was £171,731. This is 8.8 times the pay of our lowest paid employees. ( $£171,731/£19,481 = £8.8$ )

- 4.1 The median earnings are currently £28,690. The median earnings figure complies with the specific requirements within the Local Government Transparency Code and includes all elements of remuneration (i.e., Local Weighting) that can be valued.
- 4.2 The pay of the Chief Executive is currently 5.9 times the pay of the median earnings of our employees. ( $£171,731 / £28,690 = £5.9$ )

## NJC Local Government Pay Agreement 2021-22

Old SCP	New SCP	Pay level	Basic pay Apr-21	FTE Local Weighting	Inclusive annual pay	Inclusive hourly rate
9	2	Level 2	18516	965	19481	10.10
10	3	Level 2	18887	965	19852	10.29
11	3	Level 2	18887	965	19852	10.29
13	4	Level 2	19264	965	20229	10.49
14	5	Level 3	19650	965	20615	10.69
16	6	Level 3	20043	965	21008	10.89
18	7	Level 3	20444	965	21409	11.10
19	8	Level 4	20852	965	21817	11.31
20	9	Level 4	21269	965	22234	11.52
	10	Level 4	21695	965	22660	11.75
21	11	Level 4	22129	965	23094	11.97
22	12	Level 4	22571	965	23536	12.20
	13	Level 5	23023	965	23988	12.43
24	15	Level 5	23953	965	24918	12.92
25	17	Level 5	24920	965	25885	13.42
26	19	Level 5	25927	965	26892	13.94
	21	Level 5	26975	965	27940	14.48
29	23	Level 5	28226	965	29191	15.13
30	24	Level 6	29174	965	30139	15.62
31	25	Level 6	30095	965	31060	16.10
32	26	Level 6	30984	965	31949	16.56
33	27	Level 6	31895	965	32860	17.03
34	28	Level 6	32798	965	33763	17.50
35	29	Level 6	33486	965	34451	17.86
36	30	Level 7	34373	965	35338	18.32
37	31	Level 7	35336	965	36301	18.82
38	32	Level 7	36371	965	37336	19.35
39	33	Level 7	37568	965	38533	19.97
40	34	Level 7	38553	965	39518	20.48
41	35	Level 7	39571	965	40536	21.01
42	36	Level 8	40578	965	41543	21.53
43	37	Level 8	41591	965	42556	22.06
44	38	Level 8	42614	965	43579	22.59
45	39	Level 8	43570	965	44535	23.08
46	40	Level 8	44624	965	45589	23.63
47	41	Level 8	45648	965	46613	24.16
48	42	Level 9	46662	965	47627	24.69
49	43	Level 9	47665	965	48630	25.21
50	44	Level 9	48675	965	49640	25.73
51	45	Level 9	49700	965	50665	26.26
52	46	Level 9	50725	965	51690	26.79
53	47	Level 9	51758	965	52723	27.33
54	48	Level 10	52851	965	53816	27.89
55	49	Level 10	53941	965	54906	28.46
56	50	Level 10	55039	965	56004	29.03
57	51	Level 10	56138	965	57103	29.60
58	52	Level 10	57225	965	58190	30.16
59	53	Level 10	58315	965	59280	30.73

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## Slough Borough Council – Senior management grades

<b>Grade</b>	<b>Salary range 2021</b>
SML111	£60,454
SML112	£63,227
SML113	£65,999
SML114	£68,773
SML121	£71,488
SML122	£74,205
SML123	£76,921
SML124	£79,637
SML131	£82,329
SML132	£86,661
SML133	£91,221
SML134	£96,023
SML141	£98,692
SML142	£103,886
SML143	£109,355
SML144	£112,854
SML151	£111,176
SML152	£114,735
SML153	£120,773
SML154	£127,131
SML161	£119,556
SML162	£125,848
SML163	£132,474
SML164	£139,446

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