

BARNSELY METROPOLITAN BOROUGH COUNCIL

This matter is a Key Decision within the Council's definition and has been included in the relevant Forward Plan

**Report of Assistant Chief Executive
Human Resources, Performance & Partnerships
and Communications**

Implementation of the Revised 2013/14 Pay Policy Statement

1. Purpose of Report

The purpose of this report is to seek approval to implement the revised Council's 2013/14 Pay Policy Statement in accordance with section 38 of the Localism Act 2011. The revised policy takes account of the recently agreed changes to terms and conditions of employment and the supplementary advice issued by the Department for Communities and Local Government.

2. Recommendations

That approval is given to implement the revised 2013/14 Pay Policy Statement contained at Appendix B.

3. Introduction

- 3.1 Local Authorities are required under section 38(1) of the Localism Act 2011 (the Act) to prepare a Pay Policy Statement. The statement must articulate the Council's policy towards the pay of the workforce, particularly senior staff and lowest paid employees.
- 3.2 The Act requires that Pay Policy Statements are produced annually and when changes to policies in respect of employee remuneration occurs. The first Pay Policy Statement for 2013/14 was approved by Cabinet and full Council to ensure publication on 1 April 2013 however this was prior to the conclusion of negotiations with the recognised Trade Unions in respect of changes to terms and conditions of employment. Additionally, the Department for Communities and Local Government issued a supplementary guidance regarding pay accountability. Consequently, in accordance with the provisions of the Act the Policy has now been updated.

4. Proposal and Justification

- 4.1 The Pay Policy Statement has been reviewed and updated to reflect the changes to terms and conditions which have now been implemented as part of a package of measures necessary to address the Council's budget deficit. Some of these changes relate specifically to employee remuneration and therefore in accordance with the legislation must be incorporated in to the Pay Policy.
- 4.2 The Pay Policy has also been updated to include reference to the determination of pay for agenda for change employees and Consultants who recently TUPE transferred to the Council under the Government's compulsory transition of Public Health services.
- 4.3 The Department for Communities and Local Government has issued supplementary guidance regarding pay accountability and the requirement to include severance payments/redundancy payments within this. Consequently the Pay Policy has been amended to include the requirement for Council to approve any severance/redundancy pay in excess of £100,000.

5. Consideration of Alternative Approaches

5.1 An alternative option would be to not produce or update a Pay Policy Statement. However this would contravene section 38(1) of the Localism Act 2011.

6. Delivering Sustainable Community Strategy Ambitions and Local Area Agreement Outcomes

6.1 None directly arising from this report.

7. Compatibility with European Convention on Human Rights

7.1 This proposal is compatible with the European Convention of Human Rights Act Article 14: Prohibition of Discrimination in the Enjoyment of Convention Rights.

8. Promoting Equality and Diversity and Social Inclusion

8.1 The implementation of this policy will ensure that any issues relating to pay are applied fairly and consistently

9. Risk Management Issues, including Health and Safety

9.1 The legislation recommends that the policy provides information on how the Council remunerates its employees and as such provides a standard framework to be applied to employee remuneration therefore reduces the risk of inconsistencies in this area.

10. Financial Implications

10.1 None arising from this report

11. Employee Implications

11.1 The proposed Pay Policy Statement applies to all employees except those employed in locally managed schools and brings together a number of existing policies and local agreements in one document.

11.2 The Trade Unions have been informed about the updated Pay Policy Statement.

12. Legal Implications

The Pay Policy consolidates a number of existing policies that have previously been reviewed by Legal Services.

13. Glossary

CLG – Communities and Local Government

14. List of Appendices

Appendix B – 2013/14 Revised Pay Policy Statement.

15. Background Papers

15.1 These documents are contained in working files in Human Resources and are available for inspection.

PAY POLICY FOR THE PERIOD 1 APRIL 2013 TO 31 MARCH 2014

Contents

Section 1.0	Introduction	Page 1
Section 2.0	Determination Of Pay	Page 1
Section 3.0	Changes To Terms And Conditions	Page 6
Section 4.0	Lowest Paid Salary	Page 6
Section 5.0	Highest Paid Salary	Page 7
Section 6.0	Other Pay Related Policies	Page 7
Section 7.0	Professional Subscriptions	Page 9
Section 8.0	Remuneration Committees	Page 9
Section 9.0	Selective Voluntary Early Retirement/ Voluntary Severance Policy	Page 9
Section 10.0	Employment Of Persons In Receipt Of A Pension Or Redundancy/ Severance Payment	Page 11
Section 11.0	Pension Schemes	Page 11
Section 12.0	Amendments To The Policy	Page 12
Section 13.0	Policy For Future Years	Page 12
Section 14.0	Equality and Diversity	Page 12
Section 15.0	Income Tax and National Insurance	Page 12
Annex A	Chief Officer Remuneration	Page 13
Annex B	Centrally Employed Teachers - Pay Policy	Page 15

PAY POLICY FOR THE PERIOD 1 APRIL 2013 TO 31 MARCH 2014

1.0 INTRODUCTION AND SCOPE

- 1.1 Section 38 - 43 of the Localism Act 2011 requires Barnsley Metropolitan Borough Council (referred to as the Council) to produce a policy statement that covers a number of matters concerning the pay of the Council's employees. This Policy sets out the arrangements for salary and related allowances paid to employees of Barnsley Metropolitan Borough Council.
- It details the arrangements for the determination of salary, how salary levels are determined, the method for pay progression (where applicable) and the payment of allowances. It should be noted that the Policy does not apply to employees within locally managed schools.

2.0 DETERMINATION OF PAY

2.1 Chief Officers

The Council's policy on remunerating Chief Officers is set out below and in Annex A. For the purpose of the policy a Chief Officer is defined as the Chief Executive, Executive Directors and Assistant Chief Executives. The terms and conditions of employment for such Chief Officers are as specified in the Joint National Committee for Chief Officers for Local Authorities as supplemented by Local Agreements.

2.1.1 Salary on Appointment

The post will be advertised and appointed to at the agreed approved salary unless there is good evidence that a successful appointment of a person with the required skills, knowledge, experience, abilities and qualities cannot be made without varying the remuneration package. In such circumstances a variation to the remuneration package is appropriate under the Council's policy and any variation will be approved through the agreed decision making process ie Council approval

2.1.2 Pay Progression/Increases

The Council will apply any pay increases that are agreed by relevant national negotiating bodies and/or any pay increases that are agreed through local negotiations. The Council will also apply any pay increases that are as a result of authority decisions to significantly increase the duties and responsibilities of the post in question beyond the normal flexing of duties and responsibilities that are expected in senior posts. Beyond this the Council would not make additional payments outside those specified in the contract of employment.

2.2 Hay Graded Officers

The Council's policy on remunerating Senior Officers is set out below. For the purpose of the policy are referred to as Hay Graded posts and encompass Assistant Directors, Heads of Service and Senior Officers. The Council is currently reviewing it's Policy in respect of the pay and grading for Senior Officers with changes likely to be implemented from October 2013.

2.2.1 Salary on Appointment

The post will be advertised and appointed to at the appropriate approved minimum point of the grade for the post in question unless there is good evidence that a successful appointment of a person with the required skills, knowledge, experience, abilities and qualities cannot be made without varying the remuneration package. In such circumstances incremental advancement within the grade range is appropriate under the Council's policy.

2.2.2 Incremental/Pay Progression/Increases

The Council will apply any pay increases that are agreed by relevant national negotiating bodies and/or any pay increases that are agreed through local negotiations. Beyond this the Council would not make additional payments outside those specified in the contract of employment. Pay progression is as outlined in the Incremental Pay Progression Guidance attached in the link below.

2.2.3 Salary on Promotion

On promotion employees should normally be placed on the minimum point of the grade of the post. However, managers, in consultation with the Assistant Chief Executive – Human Resources, Performance & Partnerships and Communications have discretion to award higher starting points within the grade range in order to salary match (some Hay Grades overlap points) or when justified by skills and experience of the candidate.

2.3

NJC Grades 1 to 11

The Council implemented the National Joint Council (NJC) Job Evaluation Scheme with effect from 1 April 2008 and created a new pay structure consisting of 11 Grades which can be found in the link below.

<http://intranetapplications.barnsley.gov.uk/docs/humanresources/11GradePayStructure.pdf>

All former Administrative, Professional, Technical & Clerical (APT&C) and Manual employees of the Council were transferred on to the 11 grade pay structure as part of the implementation of the Single Status Agreement.

The pay grades for positions on NJC terms and conditions are determined utilising the NJC Job Evaluation scheme which is implemented jointly with the respective Trade Unions.

2.3.1 Salary on Appointment

Employees appointed to positions on NJC Grades 1 to 11 will normally be placed on the first point of the grade for the post. However, managers, in consultation with the Assistant Chief Executive – Human Resources, Performance & Partnerships and Communications have the discretion to award higher starting points within the grade of the post in order to salary match or if justified by the skills and experience of the

candidate.

2.3.2 Salary on Promotion/Secondment

On promotion or secondment employees should normally be placed on the first point of the grade for the post. However, managers, in consultation with the Assistant Chief Executive – Human Resources, Performance & Partnerships and Communications have the discretion to award higher starting points within the grade of the post in order to salary match or if justified by the skills and experience of the candidate.

2.3.3 Pay Progression

Pay progression for employees on NJC Grades 1 to 11 is as outlined in the Incremental Pay Progression Guidance attached in the link below.

<http://intranetapplications.barnsley.gov.uk/docs/humanresources/IncrementalPayProgressionGuidance.pdf>

2.4 Soulbury Officers

2.4.1 Salary on Appointment

The Soulbury Committee provides a voluntary collective bargaining machinery in respect of the salaries and service conditions of the following categories:-

- a) Educational Improvement Professionals
- b) Educational Psychologists
- c) Young People's/Community Service Managers

An employee appointed to one of these positions for the first time shall be placed at the minimum of the scale deemed appropriate by the Council. Where the employee has had previous experience which the authority considers should be regarded as equivalent value to service, the Council shall determine a higher incremental point up to the maximum.

Educational Improvement Professionals

A salary scale for Educational Improvement Professionals should consist of no more than 4 points (subject to additional points need to accommodate discretionary scale extensions or SPA points).

Educational Improvement Professionals would usually be appointed on a minimum point of 8.

Senior Educational Improvement Professionals would usually be appointed on a minimum point of 13

Leading Educational Improvement Professionals would usually be appointed be on a minimum point of 20.

Educational Psychologists

Assistant Educational Psychologists are be paid on the Assistant Educational Psychologist pay scale and should not remain on this scale for more than 4 years. Trainee Educational Psychologists in their second and third year of training should be paid on a point selected from the 6 point Trainee Educational Psychologist pay scale. Educational Psychologists would usually be appointed on an individual 6 point pay

range on Scale A with a minimum starting point of point 1.
Senior Educational Psychologists would usually be appointed on a 4 point pay range on Scale B
Principal Educational Psychologists would usually be appointed on a 4 point pay range on Scale B with a minimum starting point of point 4.
Educational Psychologists paid on Scales A/B are also eligible for up to 3 Structured Professional Assessment (SPA) points

Youth and Community Service Officers

Senior Officers are usually on a minimum of point 4
Principal Officers are usually on a minimum of point 7

2.4.2 Salary on Promotion/Secondment

On promotion or secondment employees should normally be placed on the first point of the range for the post. However, managers, in consultation with the Assistant Chief Executive – Human Resources, Performance & Partnerships and Communications have the discretion to award higher starting points within the grade of the post in order to salary match or if justified by the skills and experience of the candidate.

(The Council should provide a career structure for Educational Psychologists and further details can be obtained from The Report of the Committee on Salary Scales and Service Conditions of Inspectors and Advisory Officers of Local Education Authorities).

2.4.3 Incremental Pay Progression

The pay awards for Advisors, Inspectors and Psychologists are effective from 1st September each year subject to six months service in the post, until the maximum of the grade is reached.

The pay awards for Youth and Community Service Officers are effective from 1st April each year subject to six months service in the post, until the maximum of the grade is reached.

Soulbury staff also have the opportunity to apply for up to 3 further points on the salary scale (in addition to their 4 point range) and these are called Structured Professional Assessment points (SPA's). A copy of the application for Structured Professional Assessment Points Guidance notes can be found in the link below:-
<http://test-intranet/intradoc/groups/public/documents/general/soulbury-spa-guidance.pdf>

2.5 Centrally Employed Teachers

The Council's Pay Policy in respect of Centrally Employed Teachers can be found at Annex B.

2.6 Adult Education Tutors

Following the cessation of the (Silver Book) a Local Agreement for Adult Education Lecturers was agreed and implemented in September 2002. The Agreement covers staff employed as Lecturers (Qualified and Unqualified), Curriculum Co-ordinators, Lead Tutors, Community Learning /Project Co-ordinators.

2.5.1 Salary on Appointment

A new employee to the Service would normally be appointed at the bottom of the relevant pay scale although addition increments may be considered for previous relevant experience or continuous service in establishments recognised under the Redundancy Payments (Modification) Order 1999.

2.5.2 Pay Progression

The pay awards for employees covered by the Local Agreement for Adult Education Lecturers 2008 are based upon the percentage pay increase awarded to JNC Youth and Community Workers. Any such awards are effective from 1st September each year.

During employment annual increments shall be awarded on 1st September each year subject to six months service in the post, until the maximum of the grade is reached.

2.6 Youth Workers

2.6.1 Salary on Appointment

There are two salary ranges available for Youth and Community Workers, the Youth and Community Support Worker range (which is divided into Levels 1 and 2 and the Professional Range.

Youth and Community Support Worker Range:-

First Level – This is for employees who undertake duties under direction.

Second Level – This is for employees who have operational youth work responsibility for a local youth club or project-wide responsibility for an area of curriculum of service development. Employees will be line managed by professional youth and community workers.

Professional Range – This provides the salary grades for professional youth and community workers who carry strategic and operational responsibilities at a senior level for service delivery and development.

Employees shall be placed in a salary scale of not more than 4 points from within the range.

The determination of the appropriate salary scale shall be based on the employee's previous service and qualifications.

2.6.2 Salary on Promotion

On appointment or promotion to another post with a higher salary maximum a youth and community worker shall be placed on the new scale at a point no less than one incremental point higher than that which they were receiving on the day of appointment or promotion.

2.6.3 Pay Progression

Annual increments are payable on 1st April each year, or on 1st September each year in the case of staff who moves from teaching in maintained school, further education establishment or service under the Soulbury Report. Increments are paid each year until the maximum of the scale is reached

2.7 **Agenda For Change**

The Agenda for Change pay structure is applicable to staff within the extended remit of the NHS Pay Review Body (NHSPRB). The pay spine is divided into 9 pay bands (pay band 8 is subdivided into 4 ranges) and positions are assigned to a pay band in accordance with the NHS Job Evaluation Scheme.

2.7.1 **Salary on Appointment**

Upon commencement to a post staff will normally be appointed to the lowest pay point of the agreed band with the exception of staff appointed on Band 5 who have accelerated progression through the first two pay points in six monthly steps providing management are satisfied that they meet the required 'standard of practice'. This 12 month period is known as the 'Preceptorship'.

2.7.2 **Salary on Promotion**

Pay on promotion should be set either at the minimum of the new pay band or, if this would result in no pay increase, the first pay point in the band which would deliver an increase in pay.

2.7.3 **Pay Progression**

Progression through the individual pay bands is by annual increments on the anniversary of appointment to the post. This progression is dependent upon satisfactory performance in the role and demonstration of the agreed knowledge and skills appropriate to that part of the pay band as detailed in the NHS Knowledge and Skills Framework.

Additionally, there are two Gateways within a pay band where assessment of the application of knowledge and skills necessary to progress will be made. The Foundation Gateway applies no later than 12 months after appointment to the pay band, regardless of the pay point to which the person is appointed. Once through this gateway they will progress through the grade annually until they reach the Second Gateway which varies according to the different pay bands.

2.8 **Consultants (Medical)**

This employee group are remunerated in line with the remit of the Review Body on Doctors' and Dentists' Remuneration. The pay spine for this employee group has 8 individual pay thresholds. Schedule 13 of the Consultant Terms and Conditions of Employment applies to Consultants appointed before 31 October 2003 and Schedule 14 applies to those appointed after 31 October 2003.

2.8.1 **Salary on Appointment**

On commencement basic salary and payments for any additional Programmed Activities will be set at the first of the pay thresholds. The salary will reflect any

approved consultant-level experience already gained. Referred to terms and conditions are paid in accordance with the pay system which has two pay spines or series of pay bands: pay spine one for staff within the remit of the Doctors' and Dentists' Review Body and pay spine two for staff within the extended remit of the NHS Pay Review Body (NHSPRB).

2.8.2 Pay Uplifts

Increases to pay threshold values may be determined from time to time following recommendations of the Review Body on Doctors' and Dentists' Review Body.

2.8.3 Pay Progression

Consultants will be eligible for progression through the first 5 pay thresholds subject to the criteria set out in Schedule 15 of the Consultants Terms and Conditions. This will be paid on the anniversary of appointment to the post of Consultant. Eligibility for progression through the next three thresholds shall occur at five yearly intervals.

3.0 **CHANGES TO TERMS AND CONDITIONS**

3.1 Permanent Changes to Terms and Conditions

3.1.1 The Council has implemented a number of changes to terms and conditions of employment which form part of a package of measures which are necessary to address the budget deficit arising out of an unprecedented cut in funding following the Governments Comprehensive Spending Review. UNISON and Unite have entered into a Collective Agreement effective from 1 May 2013 which acts to bind all union members and non union members to the changes except for GMB members who rejected the changes. GMB members were provided with an opportunity to voluntarily accept the changes and those who declined terminated and re-engaged on the revised terms and conditions of employment. Consequently the changes are now effective for all employees of the Council except those employed in Locally Managed Schools who are not covered by the Agreement and employees who have TUPE transferred in to the Council on their existing terms and conditions of employment.

3.1.2 The changes to terms and conditions in respect of employee remuneration are summarised below and relevant policies and procedures updated to reflect the changes:

- Premium Payments – harmonisation of all premium payments to a consistent rate. This does not apply to payments for working on a statutory holiday which remain unchanged.
- Shift Allowance – harmonisation of all shift pay to one consistent rate.
- Standby Payments – standardisation of standby payments and the introduction of a minimum payment for active time.
- Redeployed Travel Expenses – introduction of revised criteria in respect of the payment of redeployed travel expenses.
- Protection of Earnings – implementation of a revised protection of earnings policy relating to loss of contractual earnings.

3.2 Temporary Changes to Terms and Conditions

As part of the Council's Efficiency Agenda the following temporary changes to terms and conditions of employment were implemented with effect from 1 April 2011 to 31 March 2013 (the changes do not relate to the period of this pay policy however it has been included because it should be taken in to account when dealing with any backdating of pay arrears) :

- The Chief Executive, an Executive Director or an Assistant Chief Executive had a 5% reduction in substantive pay which was effective for two years from 1 April 2011 to 31 March 2013.
- Employees at the top of the grade had a compulsory buy back of 3 days annual leave for the leave years of 2011/12 and 2012/13. The equivalent of 3 days pay was deducted from salaries in 12 equal monthly instalments from April to March each year. This did not apply to employees affected by the 5% reduction in pay.
- Employees entitled to incremental progression on 1 April 2011 and/or 1 April 2012 had this suspended for two years. After the two year period employees resumed incremental progression.

It should be noted that only one of these changes applied to each separate contract of employment with the Council and that they did not apply to Centrally Employed Teachers, Youth Workers and Adult Education Tutors.

For the purpose of the pay policy effective from 1 April 2013 the above temporary changes do not apply however details are included due to the impact on any back dating of pay.

4.0 LOWEST PAID SALARY

- 4.1 The lowest pay point in this Council is Grade 1 point 4 which equates to an annual salary of £12,145 and can be expressed as an hourly rate of pay of £6.30. This pay point and salary was determined as part of the implementation of the NJC Job Evaluation Scheme and 11 grade pay structure. Please refer to paragraph 2.3. The pay rate is increased in accordance with any pay settlements which are reached through the National Joint Council for Local Government Services.

The Council is currently considering issues around low pay including the Living Wage which if agreed would be regarded as a low pay supplement to the existing rates of pay up to spinal column point 10.

5.0 HIGHEST PAID SALARY

- 5.1 The highest paid salary in this council is currently £141,075 which is paid to the Chief Executive. The median average salary in this council (not including schools) is £20,858. The ratio between the two salaries, the 'pay multiple' is 6.76:1. The authority is conscious of the need to ensure that the salary of the highest paid employee is not excessive and is consistent with the needs of the Council and as such

the Council takes the view that the pay multiple acts as a control element which will be monitored and reported annually as part of the review of this Pay Policy.

- 5.2 The Council is required to publish Chief Officer salaries on an annual basis as part of the Statement of Accounts. Details can be found at:

http://www.barnsley.gov.uk/bmbc_statement_of_accounts_2011-12

6.0 OTHER PAY RELATED POLICIES

A number of other pay related policies are outlined below which are applicable to all employees except centrally employed school teachers, whose statutory pay and conditions of service fall under the terms of the School Teachers Pay and Conditions Document (Refer to Annex 2). The information contained below provides a summary of allowances and must be read in conjunction with the relevant 'Conditions of Service' document/Local Agreement.

6.1 Nationally Agreed Allowances

6.1.1 Bank Holiday Working

- Employees required to work on a public or extra statutory holiday shall, in addition to the normal pay for that day, be paid plain time rate for all hours worked within their normal working hours for that day. In addition, at a later date, time off with pay shall be allowed as follows:
 - Time worked less than half the normal working hours on that day - half day
 - Time worked more than half the normal working hours on that day - full day

6.2 Locally Agreed Allowances

6.2.1 Overtime/Additional Hours

- Overtime rates – Employees who are required to work overtime/additional hours beyond their working week are entitled to receive enhancements on the following basis
 - Monday to Sunday - time and half
- The Council has a Planned Overtime Policy which applies to employees of Grade 7 and above who undertake overtime. Full details of the provision can be found at:
<http://intranetapplications.barnsley.gov.uk/docs/humanresources/PlannedOvertimePolicy.pdf>
- Part-time employees will only be paid overtime rates in circumstances where an equivalent full time employee would receive them eg for a part-time employee who normally works Monday to Friday, work up to 37 hours per week will be paid at plain time, thereafter and at weekends overtime rates will

be payable.

6.2.2 Weekend Working

- Employees who are required to work on Saturday and/or Sunday as part of their normal working week are entitled to the following enhancements:
 - Monday to Sunday - time and half

6.2.3 Night work

Employees who work at night as part of their normal working week are entitled to receive an enhancement of time and half for all hours worked between 10pm and 6am, Monday to Sunday ie no additional enhancement is payable for weekend working.

The night rate shall be payable in addition to the enhanced rates of pay for additional hours (overtime) worked on a Monday to Sunday night between the hours of 10pm and 6am eg an employee working Saturday night as overtime will receive time and half for hours worked Saturday plus an additional 50% of the hourly rate due to working at night (between 10pm and 6am).

6.2.4 Alternating Shifts

- An enhancement of 10% will be payable to employees working alternating shifts providing all of the following criteria are met:
 - The total period covered by the shifts is 11 hours or more
 - There are at least 4 hours between the starting time and the earliest and latest shift

6.2.5 Rotating Shifts

- An enhancement equivalent to:
 - 10% of salary for three shifts on a rota basis including a night shift over 5 or 6 days, or
 - 10% of salary for three shifts on a rota basis including a night shift over 7 days will be payable to employees working rotating shifts providing all of the following criteria are met:
 - ◆ The total period covered by the shifts is 18 hours or more
 - ◆ At least 4 hours worked between 7pm and 7am.

6.2.6 In addition to the above mentioned the Council has a number of local agreements covering areas such as:

- Car Mileage Allowance - employees who use their private car whilst undertaking official business in the course of their employment, mileage will be reimbursed at the Approved Mileage Allowance Payments (AMAP) rates as specified by HM Revenue and Customs.

- Market Supplements, Recruitment and Retention Procedure - provides an additional payment to agreed posts to reflect external salary levels to assist with recruitment and retention issues.
- Deprivation of Liberty Safeguards Payments - The Council has a statutory duty to undertake assessments under Deprivation of Liberty Safeguards (DOLS). A payment will be made in accordance with the local agreement.
- Laundry Allowance - additional payment to recompense employees for cleaning allocated uniforms.
- Stand by/Call out - An employee who is contractually required or volunteers to be available on a standby/call out basis will be recompensed by payment of an amount determined locally.
- Approved Mental Health Professionals (AMHP) allowance - Is an annual allowance paid over 12 equal monthly instalments to AMHP's who undertake this role in addition to their post.

The above is not an exhaustive list of local agreements.

7.0 PROFESSIONAL SUBSCRIPTIONS

This payment of fees currently applies only to employees of Legal Services who are Solicitors and are required to hold a practising certificate and for Social Care Workers who are required to be registered by the Health and Care Professionals Council (HCPC).

Payment will not be made for membership of any other professional organisation, whether or not membership is a requirement of the appointment. Full details of the Council's Policy can be found at:

<http://intranetapplications.barnsley.gov.uk/docs/humanresources/ReimbursementofProfessionalfees.pdf>

8.0 REMUNERATION COMMITTEES

- 8.1 The Council does not utilise a Remuneration Committee to determine grading of posts. The evaluation of posts is a complex issue requiring use of specialised trained panels to recommend grades for posts as determined by the appropriate evaluation process. Recommended grades are subject to approval by the agreed Council decision making process ie Delegated/Cabinet Reports.
-

9.0 SELECTIVE VOLUNTARY EARLY RETIREMENT/VOLUNTARY SEVERANCE POLICY

- 9.1 The Selective Voluntary Early Retirement and Voluntary Severance schemes enable the Council to reduce the size of its workforce in line with prevailing economic conditions, whilst at the same time compensating eligible employees by either immediate payment of pension benefits and/or a redundancy payment. The Council's Policy relating to all employees who are members of the Local Government Pension Scheme can be found at:
-

<http://intranetapplications.barnsley.gov.uk/docs/humanresources/SVERandVSPolicy.pdf>

The Policy covering employees who are members of the Teachers Pension Scheme is available at:

<http://intranetapplications.barnsley.gov.uk/docs/humanresources/RedundancySVERTeachersOct08.pdf>

- 9.2 Where the level of severance pay/redundancy pay is calculated in accordance with the Councils policy and the resultant payment is more than £100,000 then approval must be sought by Council prior to agreement to release the payment.

10.0 **EMPLOYMENT OF PERSONS IN RECEIPT OF A PENSION OR REDUNDANCY/ SEVERANCE PAYMENT**

- 10.1 The Council is under a statutory duty to appoint on merit and has to ensure that it complies with all appropriate employment and equalities legislation. The Council will always seek to appoint the best available candidate to a post who has the skills, knowledge, experience, abilities and qualities needed for the post.

However, where an individual is in receipt of:

- a pension (this includes ill health pensions) from a public sector organisation including local government, civil service, teachers pensions, police, armed forces, etc then he/she **must not** be engaged with the Council.
- a severance payment as a result of being made compulsory redundant he/she can be considered for employment only where currently **not** in receipt of a pension (see above bullet).
- a voluntary severance payment, the individual may only be considered for employment after a period of 12 months from the date of termination only where currently **not** in receipt of a pension (see above bullets). Please note this includes payments made by this Council.

11.0 **PENSION SCHEMES**

11.1 **Local Government Pension Scheme**

Eligible employees automatically become a member of the Local Government Pension Scheme (LGPS) if they have contract of employment for at least three months. Where the employee has a contract for less than three months, the employee may elect to join the scheme. The LGPS is a tax approved, defined benefit occupational pension scheme set up under the Superannuation Act 1972. The benefits under the Scheme are based on the length of membership and the final salary. The contribution rate depends on the level of earnings but it will be between 5.5% and 7.5% of pensionable pay. For part-time employees, the rate will be based on the whole time pay rate for the job, although pay contributions will be based on the actual amount earned.

The Council pays the balance of the cost of providing benefits in the LGPS currently 18.2%. Every three years an independent review is undertaken to calculate how much the employer should contribute to the Scheme. Increases or decreases in the cost of providing the scheme may, in future, need to be shared between members and employers, in accordance with government guidance.

Full details of the LGPS can be found at:

[South Yorkshire Pensions Authority - Homepage](#)

11.2 **Teachers Pensions Scheme**

For Centrally employed teachers or posts that the Council decides are eligible for membership of the Teacher's Pension Scheme (TPS) new appointees will automatically become scheme members.

The TPS is a contributory scheme administered by Teachers' Pensions (TP) on behalf of the Department for Education (DfE). It is a defined benefit 'final salary' scheme providing a lump sum and pension after retirement. Members of the TPS contributions rates range from 6.4% to 8.8% depending on the level of earnings. The Council pays a further 14.1%. The Scheme Actuary reviews these rates at regular intervals.

Information relating to the TPS can be found at:

[The Scheme | Teachers' Pensions](#)

12.0 **AMENDMENTS TO THE POLICY**

- 12.1 It is anticipated that this Policy will not need to be amended further during the period it covers ie 1 April 2013 to 31 March 2014, however if circumstances dictate that a change of Policy is considered to be appropriate during the year then a revised draft will be presented to full Council for consideration.

13.0 **POLICY FOR FUTURE YEARS**

- 13.1 The Policy will be reviewed each year and will be presented to full Council each year for consideration in order to ensure that a Policy is in place for the Council prior to the start of each financial year.

14.0 **EQUALITY AND DIVERSITY**

- 14.1 This policy has been impact assessed by Human Resources, if on reading this policy you feel there are any equality and diversity issues, please contact your Directorate Human Resources Advisor who will if necessary ensure the policy is reviewed.

15.0 **INCOME TAX AND NATIONAL INSURANCE CONTRIBUTIONS**

- 15.1 Sections 682-702 of the Income Tax (Earnings and Pensions) Act 2003 (ITEPA) impose a duty on an employer to account for PAYE on employment income paid to employees. PAYE applies to all payments of income within the charge to tax under ITEPA 2003.
- 15.2 There are three classes of national insurance contributions (NICs) which are payable by or in respect of employees:

Class 1 contributions, which are earnings related. Primary contributions are paid by “employed earners” secondary contributions are paid by employers.

Class 1A contributions, which are payable annually by secondary contributors only, based upon taxable value of benefits reported on forms P11D.

Class 1B contributions, which are payable annually by secondary contributors only, based on the tax borne under a PAYE Settlement Agreement (PSA).

© Barnsley Metropolitan Borough Council.

The right of Barnsley Metropolitan Borough Council to be identified as Author of this Work has been asserted by it in accordance with the Copyright, Designs and Patents Act 1988. No part of this publication may be reproduced in any material form, including photocopying or storing it in any electronic medium without the written permission of the copyright owner except in accordance with the provisions of the Copyright, Designs and Patents Act 1988. Applications for the copyright owner’s permission to reproduce any part of this publication must be addressed to the Assistant Chief Executive (Human Resources), Barnsley Metropolitan Borough Council, Human Resources, PO Box 680, Barnsley, S70 9JF.

Annex A

Aspect of Chief Officer Remuneration	BMBC Policy
Recruitment	The post will be advertised and appointed to at the appropriate approved salary for the post in question unless there is good evidence that a successful appointment of a person with the required skills, knowledge, experience, abilities and qualities cannot be made without varying the remuneration package. In such circumstances a variation to the remuneration package is appropriate under the Council's policy and any variation will be approved through the appropriate decision making process.
Pay Increases	The Council will apply any pay increases that are agreed by relevant national negotiating bodies and/or any pay increases that are agreed through local negotiations. The Council will also apply any pay increases that are as a result of authority decisions to significantly increase the duties and responsibilities of the post in question beyond the normal flexing of duties and responsibilities that are expected in senior posts subject to approval by the appropriate decision making process.
Additions To Pay	The Council would not make additional payments beyond those specified in the contract of employment.
Performance Related Pay	The Council does not operate a performance related pay system as it believes that it has sufficiently strong performance management arrangements in place to ensure high performance from its senior officers. Any areas of under-performance are addressed in accordance with Council Policy.
Earn-Back (Withholding an element of base pay related to performance)	The authority does not operate an earn-back pay system as it believes that it has sufficiently strong performance management arrangements in place to ensure high performance from its senior officers. Any areas of under-performance are addressed rigorously.
Bonuses	The Council does not pay bonus payments to employees.
Termination Payments	The Council applies its normal redundancy payments arrangements to senior officers and does not have separate provisions for senior officers. The Council also applies the appropriate Pensions regulations when they apply. The Council has agreed policies in place on how it will apply any discretionary powers it has under Pensions regulations. Any costs that are incurred regarding senior officers are published in the Council's accounts as required under the Accounts and Audit (England) Regulations 2011.
Transparency	The Council meets its requirements under the Localism Act, the Code of Practice on Data Transparency and the Accounts and Audit Regulations in order to ensure that it is open and transparent regarding senior officer remuneration.
Employment of persons in receipt of a pension or redundancy/severance payment	Refer to Section 10

Annex B

CENTRALLY EMPLOYED TEACHERS - PAY POLICY (subject to review in accordance with the School Teachers Pay and Conditions Document 1/9/13)

The Pay Policy covers centrally employed school teachers, whose statutory pay and conditions of service fall under the terms of the School Teachers Pay and Conditions Document (referred to as the Document). Qualified Teachers other than members of the leadership group and advanced skills teachers are paid on a six point main pay scale or the upper pay scale.

The Council will review every qualified teacher's salary with effect from 1 September each year and give them a formal written statement stating what their salary is and how it has been calculated. Reviews may take place at other times of the year to reflect any changes in circumstances or job descriptions that will affect pay.

The statutory pay arrangements give significant discretion over the awarding of allowances and the criteria used by the Council to determine the application of the discretionary elements. Decisions on the way these discretions will be used will be the responsibility of the Executive Director - Children, Young People and Families.

Salary on Appointment

On appointment a teachers salary will be determined in accordance with the following:

Mandatory Points - Teaching Experience

The Council will award 1 point for each year of teaching service until the statutory maximum has been reached. A complete year of service is defined as an aggregate of 26 weeks (full or part-time), including school holidays.

The Council may withhold an experience point if the formal capability procedure has been invoked. However, this will be awarded retrospectively if the teacher's performance reaches the required standard and is no longer subject to formal procedure.

Discretionary Points - Non-Teaching Experience

When appointing a classroom teacher to the main scale, the Council will consider awarding an extra point or points on the scale in recognition of other relevant experience that would not attract mandatory experience points. These include:

One point for each year of service as:

- As a qualified teacher in an Academy, City Technology College, a city college for the technology of the arts, or an Independent School
- As a qualified teacher in an overseas school outside the European Economic Area or Switzerland in the maintained sector of the country concerned.
- Teaching in Further Education including 6th Form Colleges
- Teaching in Higher Education

The Council will consider awarding on a case by case basis:

One point for each 3 year period spent outside teaching but working in a relevant area. This may include:-

- Industrial/commercial training
- Time spent working in an occupation relevant to the teachers work at the school such as a scientist/linguist
- Working with children/young people e.g. as a nursery nurse, children's social worker, children's nurse, youth worker etc.

Advanced Skills Teachers

The Council will determine the inclusion of Advanced Skills Teaching posts within the structure of the organisation. Advanced Skills Teachers are subject to Classroom Teachers' professional duties and have additional duties concerned with the development of other teachers.

The Council will set a five-point range within the 18 point pay spine. Newly appointed Advanced Skills Teachers will start on the bottom point of the pay range. A performance review will take place each September against agreed performance objectives. Movement up the pay spine will be dependent upon sustained high quality performance against the agreed performance objectives.

Annual pay progression within the range for these posts is not automatic. Any progression will normally be one point, but the Executive Director - Children, Young People and Families may consider movement by two points in exceptional circumstances.

Advanced Skills Teachers must demonstrate high quality of performance in the light of their agreed performance criteria before any performance points will be awarded. This will include any work undertaken with other teachers; and will have regard to the scale of the challenges; the professional competencies required and other such criteria as considered appropriate.

Part Time Teachers

Teachers who are employed by the Council but work less than a full working day or week are deemed to be part time. The Council will give these teachers a written statement detailing their working time obligations and the standard calculation used to determine their pay, subject to the provisions of the statutory pay arrangements and by comparison with the timetabled teaching week for a full time teacher in an equivalent post.

Unqualified Teachers

The Council will determine where to place unqualified teachers on the appropriate point on the unqualified teachers pay scale. Account will be taken of qualifications and relevant experience. Unqualified teachers will be appointed above the minimum in the following circumstances:

Qualifications

One point will be awarded for any of the following;

- for a recognised overseas qualification
- for a recognised post-16 teaching qualification
- for a recognised qualification relevant to their subject area

Experience

One point for each period of two years undertaking:

- school teaching as an overseas trained teacher
- teaching in further education including sixth form colleges
- teaching in higher education

The Council will consider awarding on a case by case basis:

One point for each period of three years spent outside teaching but working in a relevant area. This may include:-

- Industrial/commercial training
- Time spent working in an occupation relevant to the teachers work at the school such as a scientist/linguist
- Working with children as a nursery nurse, children's social worker, children's nurse, youth worker etc.

In determining a starting salary for an unqualified teacher the Council recognise and accept that when a teacher becomes qualified and moves on to the main pay scale they have to award one point above the existing salary on the unqualified scale.

Discretionary allowances and payments

Teaching and Learning Responsibility Points (TLR's)

TLR's are awarded to holders of the posts as indicated in the approved organisation structure. TLR's cannot be awarded on a temporary basis unless a teacher is covering a TLR post e.g. sickness, maternity leave cover.

Special Educational Needs Allowance

The Council will award special educational needs allowances in accordance with the School Teacher's Pay and Conditions Document.

Other Payments

Recruitment and Retention Payments

The Council will consider where recruitment and retention difficulties are apparent within the context of the organisation structure. The Council has the discretion to award incentives and benefits in accordance with the Teachers Pay and Conditions Document. Awards will be given on a fixed term basis for a period of up to three years. In exceptional circumstances retention (only) rewards will be renewable subject to determination by the Executive Director - Children, Young People and Families.

The Council will pay recruitment awards after advertisements have failed to produce a suitable candidate for appointment.

The Council will pay retention awards for a maximum of three years. This maybe extended in 'exceptional circumstances'.

Examples could include:

- A lump sum
- A percentage of salary
- Defined benefits for example costs of childcare/health provision.
- Support for travel costs

The Council has the option of not awarding as above and if so should state so under this heading

The Council has determined the criteria for making the award and the value and nature of benefits on offer, including whether payments are one-off or continuing and if the latter, the normal length of awards and basis for upgrading. The Council will specify “exceptional circumstances” for renewing a retention award.

The Council will determine how existing employees in receipt of recruitment and retention incentives on a permanent basis will continue to receive a payment under the recruitment and retention incentives benefit provision.

Continuing Professional Development

The Council will make additional payments to Teachers for undertaking voluntary Continuous Professional Development outside the school day or on a day other than the 195 days specified. The Council will pay Teachers and Advanced Skilled Teachers for Continuing Professional Development previously approved as being appropriate to the needs of the individual and also the needs of the Council.

Pay for Continuing Professional Development held on days other than the specified 195 days will be calculated on the basis of 1/195th of the teacher’s actual salary (or alternatively, hourly rate calculation as for Supply).

Initial teacher training activities

Teachers and Advanced Skills Teachers who voluntarily undertake initial teacher training activities will be entitled to a payment.

Activities that will attract payment include:

- Supervising and observing teaching practice
- Giving feedback to students on their performance and acting as professional mentors

Teachers who undertake initial teacher training activities which are not seen as part of the ordinary running of the service will be given separate non-teaching contracts of employment to cover areas of work that are not part of the teaching role. Areas of work which will attract a payment include:

- planning an initial teacher training course
- preparing course materials
- undertaking marketing, finance and administration of the course

Pay Progression

The Council will review every qualified teacher’s salary with effect from 1 September each year and give them a formal written statement stating what their salary is and how it has been calculated. Reviews may take place at other times of the year to reflect any changes in circumstances or job descriptions that will affect pay.

Post Threshold Teachers

Progression along the upper pay scale will not be automatic but will be subject to the outcome of the performance review under the revised performance management regulation. Progression over the threshold on to the upper pay spine will be based on guidance provided in the School Teachers’ Pay and Conditions Document. Post threshold teachers must display sustained and substantial performance and contribution to the service before a performance point will be awarded. Teachers will need to have

displayed performance and contribution to the service of a greater breadth and depth than the threshold standards themselves.

Teachers who wish to do so should apply for threshold assessment to the head of service by 31 October.

The service will inform teachers of their eligibility to apply for threshold assessment one year ahead of their becoming eligible, along with the mandatory deadline for applications which is any time in the year up to and including 31 August.

Progression from UPS1 to 2 and 2 to 3

Progression will not be automatic. The Council will give consideration to progression based on substantial and sustained performance based in accordance with the Teacher's Performance Management Policy, other than under the exceptional circumstances as set out in the Teachers Pay and Conditions Document.

A successful performance review will involve a performance management process of:

- performance objectives
- classroom observation
- other evidence

To ensure the performance review will assess that the teacher has:

- continued to meet threshold standards; and
- grown professionally by developing their teaching expertise post threshold

Where a teacher is a post threshold teacher in accordance with the School Teachers Pay & Conditions Document the Council may determine which point on the upper pay scale to place them, rather than being required to place them on to U1. When doing so, the Council should consider any pay progression which such teachers made in their previous employment which was based on an assessment of standards and contribution comparable to the requirements for progression on the upper pay scale and should not unreasonably withhold appointment at the equivalent point on the upper pay scale.

