

**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 2014/15 Pay Policy Statement**

**1. Purpose of Report**

The purpose of this report is to seek approval to implement the Council's 2014/15 Pay Policy Statement in accordance with section 38 of the Localism Act 2011.

**2. Recommendations**

**That approval is given to implement the 2014/15 Pay Policy Statement contained at Appendix B with effect from 1<sup>st</sup> April 2014.**

**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 are considered by full council. The first Pay Policy Statement was produced for the 2012/13 period and was subsequently updated for 2013/14.

**4. Proposal and Justification**

- 4.1 The 2013/14 Pay Policy Statement has been reviewed in accordance with the Act and has been updated to reflect the changes to terms and conditions of employment for centrally employed teachers as defined in the School Teachers Pay and Conditions Document 2013 and other minor changes to reflect the Senior Management Pay Review. The changes to the Document have been negotiated nationally and form part of a statutory instrument, therefore the Council has to implement the changes.

**5. Consideration of Alternative Approaches**

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

**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 recommended policy provides information on how the Council remunerates it's 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 – 2014/15 Pay Policy Statement.

**15. Background Papers**

- 15.1 CLG Guidance: Openness and Accountability in Local Pay February 2012
- 15.2 CLG Code of Recommended Practice for Local Authorities on Data Transparency September 2011.

15.3 CLG Supplementary Guidance: Openness and Accountability in Local Pay February 2013

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

Officer Contact: Julia Bell

Telephone No: 773369

Date:



**PAY POLICY FOR THE PERIOD 1 APRIL 2014 TO 31 MARCH 2015**

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

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**1.0 INTRODUCTION AND SCOPE**

- 1.1 Section 38 - 43 of the Localism Act 2011 (as supplemented) 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.

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**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 NJC Grades 1 to 17**

The Council uses the National Joint Council (NJC) Job Evaluation Scheme and has a pay structure consisting of 17 Grades which can be found in the link below.

Needs new link when available

The grading structure covers all staff on NJC terms and conditions up to and including Assistant Director level.

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.

**2.2.1**      **Salary on Appointment**

Employees appointed to positions on NJC Grades 1 to 17 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.

**2.2.2**      **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.

**2.2.3**      **Pay Progression**

Pay progression for employees on NJC Grades 1 to 17 is as outlined in the Incremental Pay Progression Guidance attached in the link below.

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

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**      **Soulbury Officers**

**2.3.1**      **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.

The Council is currently reviewing all Soulbury posts.

#### Educational Improvement Professionals

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

Educational Improvement Professionals undertaking the full range of duties would usually be appointed on a minimum point of 8.

Senior Educational Improvement Professionals undertaking the full range of duties would usually be appointed on a minimum point of 13

Leading Educational Improvement Professionals undertaking the full range of duties would usually be appointed on a minimum point of 20.

#### Educational Psychologists

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. While Trainee Educational Psychologists will be employed on the basis that they will be available for work for 3 days per week in the second year and 4 days per week in the third year of training, it is not intended that their pay rates should be applied on any pro rata basis

Assistant Educational Psychologists are to be paid on the Assistant Educational Psychologist pay scale and should not remain on this scale for more than 4 years. Educational Psychologists would usually be appointed on an individual 6 point pay range on Scale A which will be 1-6, 2-7 or 3-8 based on an assessment of recruitment and retention and other local factors. Managers have the discretion to appoint above the minimum of the selected scale.

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

#### Young People's/Community Service Managers

\* Salary scales should consist of not more than four consecutive points from the



range

\* The differential between the salary of the Young Peoples/Community Service Manager and the salary of the highest paid practitioner being managed by the YPCSM shall be the equivalent of a minimum of one Soulbury salary increment.

\* Senior Officers are usually on a minimum of point 4

\* Principal Officers are usually on a minimum of point 7

### 2.3.2 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).

### 2.3.3 Incremental Pay Progression

The pay awards for Advisors, Inspectors and Psychologists are effective from 1<sup>st</sup> 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 1<sup>st</sup> 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>

## 2.4 Centrally Employed Teachers

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

## 2.5 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, Curriculum Support and Information Officers 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 additional 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 1<sup>st</sup> September each year.

During employment annual increments shall be awarded on 1<sup>st</sup> 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 1<sup>st</sup> April each year, or on 1<sup>st</sup> 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 were 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 were normally 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'. Employees affected by the TUPE transferred on the same terms and conditions applicable pre-transfer. The Council reserves the right to evaluate and appoint to all new posts in accordance with the NJC terms and conditions for Local Government Employees

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. However, as stated in 2.7.1, the Council reserves the right to evaluate and appoint to all posts, including promotion opportunities, in accordance with the NJC terms and conditions for Local Government Employees

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)**

TUPE'd employees 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). The Council reserves the right to appoint to any new or vacated existing posts in accordance with the NJC terms and conditions for Local Government Employees

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.

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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 (except Winter Maintenance).
- 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.

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**4.0 LOWEST PAID SALARY**

4.1 The lowest pay point in this Council is Grade 1 point 5 which equates to an annual salary of £12,435 and can be expressed as an hourly rate of pay of £6.44. This is increased to £7.45 per hour as the Council pays The Living Wage as a low pay supplement on top of grade 1 hourly rates up to spinal column point 10.

This pay point and salary was determined as part of the implementation of the NJC Job Evaluation Scheme and 17 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.

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**5.0 HIGHEST PAID SALARY**

5.1 The highest paid salary in this council is currently £148,500 which is paid to the Chief Executive. The median average salary in this council (not including schools) is £21,188. The ratio between the two salaries, the 'pay multiple' is 7:1. 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\\_2012 - 13](http://www.barnsley.gov.uk/bmbc_statement_of_accounts_2012_-_13)

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**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.

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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>

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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.
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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 Council's policy and the resultant payment is more than £100,000 then approval must be sought by Council prior to agreement to release the payment.
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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
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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.

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## 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 a 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.

The Council pays the balance of the cost of providing benefits in the LGPS currently 19.6%. 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](#)

### **Teachers Pensions Scheme**

- 11.2 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](#)

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## 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
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covers ie 1 April 2014 to 31 March 2015, 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.

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**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.

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**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.

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**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).

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**Annex A**

<b>Aspect of Chief Officer Remuneration</b>	<b>BMBC Policy</b>
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 leading practitioners (formally 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**

The Council will determine the starting salary of a vacant classroom teacher post on the main pay range or upper pay range having regard to:

- the requirements of the post
- any specialist knowledge required for the post
- the experience required to undertake the specific duties of the post
- the wider context eg the ability to recruitment and retain staff
- appropriate differentials

The Council will, if necessary, use its discretion to award a recruitment incentive benefit to secure the candidate of choice.

#### **Pay Determinations for Existing Main Scale Teachers Effective from 1 September 2013**

The Council will follow the provisions of the School Teachers Pay and Conditions Document 2012 (the Document 2012) and award a point on the main scale, unless the teacher has been notified that their service has been unsatisfactory for the previous academic year. The Council will normally exercise this discretion only in the context of a formal performance in employment procedure. The Council will restore the withheld point at the conclusion of the performance in employment procedure where satisfactory performance has been achieved.

Where the teacher is subject to the Appraisal Regulations 2012, the Council will award one additional point provided the teachers performance in the previous academic year was excellent, having regard to the results of the most recent appraisal (paragraph 18.2.19(c) , the Document 2012).

Where the teacher is not subject to the Appraisal Regulations 2012, the Council will award one additional point where the teachers performance in the previous 12 months was excellent, having regard to all aspects of his/her professional duties and the Teachers Standards, but in particular classroom teaching, in accordance with paragraph 18.2 (c) of the Document 2012.

#### **Pay Determinations for Existing Main Scale Teachers Effective from 1 September 2014**

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The Council will use reference points. Therefore the pay scale for main pay range teachers for this Council is:

£  
Minimum  
Reference point 1  
Reference point 2  
Reference point 3  
Reference point 4  
Maximum

Appraisal objectives will become more challenging as the teacher progresses up the main pay range.

To move up the main pay range, one annual point at a time, teachers need to have made good progress towards their objectives and have shown that they are competent in all elements of the Teachers Standards. Teaching should be 'good' as defined by Ofsted.

If evidence shows that a teacher has exceptional performance, the Council will consider the use of its flexibilities to award enhanced pay progression, up to the maximum of one additional reference point. Teaching should be 'outstanding' as defined by Ofsted.

Judgements will be properly rooted in evidence. As a teacher moves up the main pay range this evidence should show:

- an increasing positive impact on student progress
- an increasing impact on wider outcomes for students
- improvements in specific elements of practice identified to the teacher eg behaviour management or planning
- an increasing contribution to the work of the Council
- an increasing impact on the effective the service and colleagues.

Further information, including sources of evidence, is contained in the Councils Appraisal Policy. Any salary determination will be clearly attributable to the performance of the teacher in question. The Council will be able to justify its decision.

### **Applications to be Paid on the Upper Pay Range**

From 1 September 2013 any qualified teacher can apply to be paid on the Upper Pay Range. If a teacher is simultaneously employed at a school or other organisation, they may submit separate applications if they wish to apply to be paid on the UPR. The Council will not be bound by any pay decision made by another school.

All applications should include the results of the two most recent appraisals under the Appraisal Regulations 2012 in this Council including any recommendation on pay. Where such information is not applicable or available eg employee returning from maternity or sickness absence a written statement and summary of evidence designed to demonstrate that the applicant has met the assessment criteria must be submitted by the applicant.

In order for the assessment to be robust and transparent it will be an evidence based process only. Teachers should ensure that they build a paper based evidence file to support their application. Those teachers who are not subject to the Appraisal Regulations 2012, or who have been absent due to sickness or maternity may provide written evidence from a 3 year period before the date of the application in support of their application.

### Process

One application may be submitted annually. The closing date for applications is 31 October each year however exceptions will be made eg teachers who are on maternity leave, sick leave, etc. The process for applications is:

- complete the Councils application form
- submit the application form and supporting evidence to the designated service manager by the cut off date of 31 October
- the employee will receive notification of the name of the assessor of the application within 5 working days
- The assessor will assess the application which will include a recommendation to the Head of Service for moderation
- The Assistant Director will make the final decision advised by the Assistant Director
- Teacher will receive written notification of the outcome of their application by 30 November

Where the application is unsuccessful the written notification will include the areas where it was felt that the teachers performance did not satisfy the relevant criteria (see below).

If requested verbal feedback will be provided by the assessor. Feedback will normally be provided within 10 working days of the notification of the outcome of the application. Feedback should be constructive and will include advice and support on areas for improvement in order to meet the relevant criteria.

Successful applicants will move to the minimum of the UPR on 1 September of the following year. Unsuccessful applicants can appeal the decision Executive Director

### Assessment

The teacher will be required to meet the criteria set out in paragraph 17 of the Document ie:

- the teacher is highly competent in all elements of the relevant standards, and
- the teacher's achievements and contribution to the school are substantial and sustained.

In the Council this means:

highly competent - the teachers performance is assessed as having excellent depth and breadth of knowledge, skill and understanding of the Teachers Standards in the particular role they are fulfilling and the context in which they are working.

substantial - the teachers achievements and contribution to the Service are significant not just in raising standards within their own remit, but also in making a significant wider contribution to service improvement, which impacts on pupil progress and the effectiveness of colleagues.

sustained - the teacher must have had two consecutive successful appraisal reports in the Council and have made good progress towards their objectives during this period (see exceptions in the introduction to this section). They will have been expected to have shown that their teaching expertise has grown over the relevant period and is consistently good to outstanding.

### UPPER PAY RANGE

#### Pay Determinations Effective From 1 September 2013

In accordance with paragraphs 19.5 and 19.6 of the Document 2012 the Council will determine that one point be awarded to a teacher on the upper pay spine whose achievements and contribution to the Council, throughout the relevant period have been substantial and sustained (paragraph 19.5.1 and paragraphs 57 to 59 of section 3 guidance, the Document 2012).

In reaching its decision, the Council shall have regard to the results of the teachers two most recent appraisal reports, including any pay recommendation, when exercising its discretion in accordance with the provisions of paragraph 19.5.1 of the Document 2012.

### **Pay Determinations Effective From 1 September 2014**

The Council will determine whether there should be any movement on the Upper Pay Range. In making such a determination it will take account of:

- paragraph 21 and the criteria set out in paragraph 17.2 of the Document 2013,
- the evidence base which should show that the teacher has had a successful appraisal and has made good progress towards objectives,
- evidence that the teacher has maintained the criteria set out in paragraph 17.2, namely that the teacher is highly competent in all elements of the relevant standards, and
- that the teachers achievements and contribution to the Council are substantial and sustained. The meaning of these criteria is set out earlier in this section of the policy.

Pay progression on the Upper Pay Range will be clearly attributable to the performance of the individual teacher. The Council will be able to objectively justify its decisions.

Where it is clear that the evidence shows the teacher has made good progress ie they continue to maintain the criteria set out above and have made good progress towards their objectives, the teacher will move to £35447 on the Upper Pay Range, or if already on the mid point, will move to the top of the Upper Pay Range.

Where it is clear from the evidence that the teachers performance is exceptional in relation to the criteria set out above and where the teacher has meet or exceeds their objectives, the Council will use its flexibility to decide on enhanced progression from the minimum to the maximum of the UPR. Teaching should be outstanding as defined by Ofsted.

### **Leading Practitioner Posts (formally Advanced Skills Teachers)**

The Council will take account of paragraph 56 of the Document when determining the role of the leading practitioner. Additional duties will be set out in the job description of the leading practitioner and will include:

- a leadership role in developing, implementing and evaluating policies and practices that contribute to improvements within the Council.
- the improvement of teaching which will significantly impact on pupil progress
- improving the effectiveness of colleagues

### **Pay on Appointment**

The Council will determine a five point pay range within the 18 point pay spine in accordance with paragraph 18 of the Document and paragraphs 44 to 47 of the section 3 guidance.

### **Pay Determinations With Effect From 1 September 2014**

The Council will agree appraisal objectives for the leading practitioner.

The Council shall have regard to the results of the leading practitioners appraisal including the pay recommendation when exercising any discretion in relation to their pay in accordance with paragraph 21 of the Document.

The Council will take account of other evidence. The evidence should show the leading practitioner:

- has made good progress towards their objectives,
- is an exemplar of teaching skills which should impact significantly on pupil progress within the Council and wider community, if relevant,
- has made a substantial impact on the effectiveness of staff and colleagues including any specific elements of practice that have highlighted as in need of improvement,
- is highly competent in all aspects of the Teachers Standards
- has shown strong leadership in developing, implementing and evaluating policies and practice in their workplace that contribute to improvement.

Highly competent and substantial are defined in the section entitled Applications to be paid on the Upper Pay Range.

The Council will determine pay progression such that the amount is clearly attributable to the performance of the leading practitioner. The Council will be able to objectively justify its decision.

Annual pay progression with the range for these posts is not automatic. any progression will normally be one point, but the Executive Director - CYPF may consider movement by two points in exceptional circumstances.

## **UNQUALIFIED TEACHERS**

### **Pay on Appointment**

The Council will pay any unqualified teacher in accordance with paragraph 19 of the Document. The Council will determine where a newly appointed unqualified teacher will enter the scale, having regard to any qualifications or experience s/he may have, which they consider to be of value. The Council will consider whether it wishes to pay an additional allowance in accordance with paragraph 28.

### **Pay Determinations Effective from 1 September 2013**

The Council will follow the provisions of the Document 2012 and award a point on the unqualified teacher scale (paragraph 35), unless the teacher has been notified that their service has been unsatisfactory for the previous academic year. The Council will normally exercise this discretion only in the context of formal capability procedure. The Council will restore the withheld point at the conclusion of the capability procedure where satisfactory performance has been achieved.

Where the teacher is subject to the Appraisal Regulations 2012, the Council will award one additional point where the teachers performance in the previous 12 months was excellent having regard to the results of the most recent appraisal.

Where the teacher is not subject to the Appraisal Regulations 2012 the Council will award one additional point where the teachers performance in the previous school year was excellent having regard to all aspects of the teachers professional duties.

### **Pay Determinations Effective from 1 September 2014**



In order to progress up the unqualified teacher range, unqualified teachers will need to show that they have made good progress towards their objectives.

If the evidence shows that a teacher has exceptional performance the Council will award enhanced pay progression of one point however the Executive Director - CYPF may consider movement of up to two points in exceptional circumstances.

Decisions will be properly rooted in evidence. As unqualified teachers move up the scale this evidence should show:

- an improvement in teaching skills
- an increasing positive impact on pupil progress
- an increasing impact on wider outcomes for pupils
- improvements in specific elements of practice identified to the teacher
- an increasing contribution to the work of the Council
- an increasing impact on the effectiveness of colleagues

Information on sources of evidence is contained within the Council's appraisal policy.

The Executive Director - CYPF will be advised by the Head of Service making such decisions. Pay progression on the unqualified teacher range will be clearly attributable to the performance of the individual teacher. The Council will be able to objectively justify its decisions.

### **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.

### **Discretionary allowances and payments**

#### **Teaching and Learning Responsibility Points (TLR's)**

The Council may award a TLR to a teacher in accordance with paragraph 23 - 25 of the Document and paragraph 31 and 37 of the section 3 guidance. TLR 1 or 2 will be for a clearly defined and sustained additional responsibility in the context of the organisations structure for the purpose of ensuring the continued delivery of high quality teaching and learning. All job descriptions will be regularly reviewed and will make clear, if applicable, the responsibility or package of responsibilities for which a TLR is awarded, taking into account the criterion and factors set out at paragraph 23 - 25.

The Council may award a TLR3 of between £500 and £2500 for clearly time limited improvement projects, or one off externally driven responsibilities as set out in paragraph 25.1. The Council will set out in writing to the teacher the duration of the fixed term, and the amount of the award will be paid in monthly instalments. No safeguarding will apply in relation to an award of TLR3.

#### **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 Leading Practitioners 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 1/195<sup>th</sup> of the teacher's actual salary (or alternatively, hourly rate calculation as for Supply).

### **Initial teacher training activities**

Teachers and Leading Practitioners 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.

