

Nottingham City Council

Pay Policy Statement 2013-2014



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Nottingham
A city we're all proud of



Nottingham
City Council

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Introduction from Chief Executive, Ian Curryer



Welcome to Nottingham City Council's annual Pay Policy Statement. The statement sets out the Council's approach to setting pay and conditions for chief officers and those for our workforce. The pay policy demonstrates our commitment to openness and transparency about the pay and allowances that we administer.

I was delighted to be appointed as Nottingham City Council's Chief Executive and took up post on 1 January 2013 when I moved from my former role at Nottingham City Council as Corporate Director for Children and Families. I felt it appropriate when I took up post to do so at a point below the lowest point of the Chief Executive pay scale, owing to the economic background in which we are operating in local government.

I was proud and honoured to be offered the opportunity to continue the leadership of the Council and don't underestimate the difficult challenges that face us over the coming years, particularly relating to the reduction in public sector funding from Central Government.

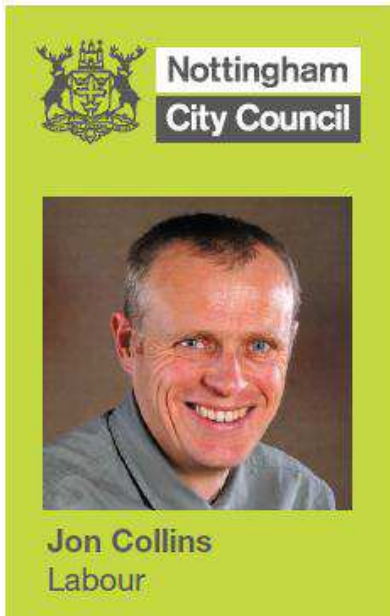
The Council's priority is to protect jobs and continue to deliver essential services for our most vulnerable citizens. Although we are facing unprecedented challenges, my focus is to continue to take forward the ambition of the Council to provide quality services to our citizens and stakeholders, which I know all colleagues and councillors are dedicated to doing.

One feature of this pay policy is that we are proposing to work towards introducing a Living Wage for our lowest paid employees. Senior Councillors and officers are keen to ensure benefits of our pay policy are felt by our lowest paid colleagues, whose wage has gradually fallen in value compared to the national minimum wage.

Colleagues across the Council have been able to take advantage of a number of voluntary measures to protect jobs, including purchasing additional annual leave. Next year I will also take advantage of this to contribute to the savings that need to be made, alongside benefiting from additional time off with my family.

Ian Curryer
Chief Executive

Introduction from the Leader of Nottingham City Council, Jon Collins



This year's pay policy statement shows that we have made important steps to ensure that our employees can expect a reasonable wage. The Appointments and Conditions of Service Committee agreed to reduce the pay of our Chief Executive when we appointed Ian Curryer in December. At the other end of the scale, we are moving towards a living wage. We are in consultation to supplement the salaries of all those currently in grade A to increase their wages to the equivalent of the bottom of grade B with effect from April 2013. We are committed to fully implementing the living wage as part of our long term pay strategy and are consulting with trade unions.

We are committed to providing quality services which offer value for money. This means that it is vital that we protect our workforce so that we can continue to deliver essential services for the most vulnerable citizens in Nottingham. In order to maintain jobs, we have made the difficult proposal to freeze pay increments for 2013/14. By freezing pay increments, we would save over 100 jobs that would have to be cut if pay increased.

Nottingham City Council has made substantial savings already. We have reduced our spend on agency workers by £19 million, saved £1.6 million through reducing the number of management roles and £0.707m through employees purchasing additional annual leave. We will continue to look at ways that we can make savings whilst trying to protect public services, jobs and the lowest paid.

A handwritten signature in black ink, appearing to read 'J. N. Collins', written over a light blue horizontal line.

Jon Collins
Leader of the Council

1 BACKGROUND

- 1.1 Section 38 (1) of the Localism Act 2011 requires English and Welsh local authorities to produce a pay policy statement for each financial year (starting from 2012/13).
- 1.2 The pay statements must articulate the Council's own policies on a range of issues relating to the pay of its workforce, particularly its senior employees (or 'chief officers' as defined by the Local Government and Housing Act 1989) and its lowest paid employees.
- 1.3 The Act requires the policy to be considered by a meeting of Full Council and cannot be delegated to any sub-committee. All decisions on pay and reward made in 2013/14 must comply with the pay policy statement. The statement may be amended in year but must be agreed again by a meeting of Full Council.
- 1.4 This pay policy statement provides information on Nottingham City Council's pay and conditions for chief officers in comparison to the bulk of the workforce employed on 'Local Government Scheme' (LGS) terms and conditions. It also sets out the approach that will be taken during 2013/14.
- 1.5 The Council's structure currently consists of four main departments; Children and Families, Development, Communities, and Resources; delivering specific functions for its citizens. It employs approximately 6807¹ people (excluding schools based employees) of which 28 posts² contain chief officer employees, representing less than 0.5% of the Council's overall non schools' workforce.

2 DEFINITIONS AND SCOPE

2.1 Definition of Chief Officer at Nottingham City Council

For the purposes of this pay policy statement, the definition of chief officer is below:

Chief Executive

Deputy Chief Executive

Corporate Directors

Directors (of services)

Heads of Services reporting directly to a Corporate Director, the Deputy Chief Executive or Chief Executive

Appendix 1 provides a structure chart of all the Chief Officers as defined by the Local Government and Housing Act 1989 employed at the Council as at 1 February 2013.

2.2 'Lowest Paid' Employee

The bulk of the workforce is employed on Local Government Scheme (LGS) terms and conditions which includes colleagues paid on . The 'lowest paid employee' is defined as LGS employees employed on Greater London Provincial Council (GLPC) Grade A, spinal point 4, equating to £12,145 basic pay.

This is the lowest pay point and salary offered for a substantive post at the Council excluding apprentices and casual workers.

¹ Using workforce overview metrics - Quarter 2 statistics (30 September 2012)

² As at 1 February 2013

- 2.3 The Council is currently under consultation to pay as a separate element, a supplement to all colleagues on Grade A (£12,145 - £12,787) the difference between Grade A and bottom of Grade B (£13,189). It is proposed that the supplement will be effective from 1 April 2013; however this date is yet to be confirmed. This proposal is intended to apply to all employees, schools' employees and casual workers.
- 2.4 The Council is proposing the pay increase in order to support and lift low paid workers out of poverty, and towards the longer term consideration of fully implementing the Living Wage Foundation's minimum hourly rate of £7.45 outside of London.
- 2.5 The pay policy statement has excluded:
- Apprentices;
 - Non chief officer Heads of Services and managers on Senior Leadership Management Group (SLMG) terms and conditions; and
 - Employees employed on Soulbury and Theatrical Management Association/the Broadcasting Entertainment Cinematograph and Theatre Union (TMA/BECTU) terms and conditions.

The reason for excluding these groups is because apprentices are not on permanent contracts and are not considered 'employees'. The majority of Heads of Services are not chief officers as defined by the Local Government and Housing Act.

There are a very small number of colleagues employed on such terms and conditions (23 on BECTU, 58 SLMG non chief officers, 4 on Craft grade, 46 on Soulbury, and 28 Apprentices).

Furthermore, the lowest salary for Soulbury (£33,555), BECTU/TMA (£15,414) and SLMG (£46,418) is higher than LGS employees.

- 2.6 Schools' Employees
As specified in the Localism Act, the pay policy statement does not include information on, or apply to, chief officers and employees based in schools.

- 2.7 Public Health Employees (due to be transferred to Nottingham City Council under Statutory Transfer during 2013/14)

The Council is expecting a number of colleagues to transfer over from the PCT to Nottingham City Council from 1 April 2013, including the Director of Public Health who is anticipated to report directly to the Chief Executive.

Some of the aforementioned Public Health employees may come under the definition of 'chief officers', however as this is a Statutory Transfer, their pay and conditions will be determined and governed by the provisions of their previous contract and terms and conditions. These include Agenda for Change, and Terms and Conditions for Consultants (England) 2003. It is important to note that for this reason, some or all of this pay policy statement may not apply to such officers.

3 HOW PAY AND CONDITIONS ARE AGREED FOR CHIEF OFFICERS

- 3.1 Chief officers' pay and conditions are ratified by the Council's remuneration committee; Appointment and Conditions of Service (ACOS). The responsibility for this function is set

out in Appendix 2 which provides an extract from the Council's Constitution. In summary, the main responsibilities of ACOS relating to chief officers' pay and conditions are:

- To undertake the appointment process in respect of the Chief Executive, Deputy Chief Executive and Corporate Directors, making recommendations to Full Council;
- To determine the terms and conditions of City Council employees and procedures for disciplinary action and dismissal;
- To receive reports on action taken in respect of terms agreed for the Chief Executive, Deputy Chief Executive, Corporate Directors and the Senior Leadership Management Group (SLMG) leaving the employment of the Council where those terms included compensation;
- Determine redundancies, ill health retirements, flexible retirements and terminations of employment (including payments over £30,000 relating to efficiency) and any exercise of discretions to increase total LGPS membership and award additional LGPS membership for the Chief Executive, Deputy Chief Executive, Corporate Directors and Directors;
- To approve any proposals from the Chief Executive for changes to salary levels (including ranges of salaries) for Corporate Directors and the Deputy Chief Executive.

3.2 The Committee is accountable to Council, has ten members (politically balanced (one place is reserved for the relevant Portfolio Holder (or their substitute) in relation to matters in respect of the appointment process for the Chief Executive and Corporate Director and the dismissal process for the Chief Executive)). The Committee meets on a monthly basis.

3.3 Chief officers have no power to negotiate their own terms and conditions outside of the Council's policies and procedure either during recruitment, throughout employment, or upon termination of their contract. The degree of responsibility exercised by chief officers in return for their basic pay is restricted to established pay gradings (Appendix 3) or with regards to other pay such as market supplement or acting up allowances in accordance with the provisions contained within the Council's pay policy (Appendix 4).

4 PAY, TERMS AND CONDITIONS AT NOTTINGHAM CITY COUNCIL

4.1 The chief officers working at Nottingham City Council belong to a group referred to internally as the 'Senior Leadership Management Group (SLMG)'. Colleagues employed as Heads of Services and other senior managers are also part of SLMG and its associated terms and conditions; however the majority are not chief officers as defined by the Local Government and Housing Act.

4.2 Appendix 5 provides a comprehensive breakdown of all the terms and conditions offered to the Council's 28 chief officers in comparison to LGS employees as at 1 February 2013, including pay range, allowances, fees and other benefits in kind. The table also provides information on which pay and condition is contractual.

- 4.3 The table highlights that many of the terms and conditions offered to LGS employees, such as overtime, incremental progression, travel expenses within County of Nottinghamshire, weekend/evening allowances etc are not available to the Council's chief officers.
- 4.4 The Chief Executive is paid on a spot salary of £160,000 as agreed by the Council's appointing committee (Appointment and Conditions of Service).
- 4.5 The total additional payments made to the Council's Chief Officers in 2013/14 are listed in the table below:

Pay Element Excluding Returning Officer's payment	Total for Chief Officers
Total year to date additional payments (1 April 2012 to 18 January 2013) Additional payments include: Car mileage, relocation expenses (travel and accommodation), allowances for additional duties, general expenses (e.g. subsistence, parking etc), election duties ³ , and travel expenses.	£36,173

5 ELECTION DUTY PAYMENTS

- 5.1 The Returning Officer's fee is a payment made to a nominated chief officer (at Nottingham City Council, this is the Chief Executive) for being in charge of the running of Local, European, Parliamentary elections in addition to National Referenda.
- 5.2 The National Referendum, European and Parliament elections are funded and paid for by central government and are therefore not related to Nottingham City Council's terms and conditions. The Council does not govern the fee payable to the Chief Executive for these elections, however a fee was retained during 2012 for the Mayoral Referendum, and Police and Crime Commissioner Election.
- 5.3 The Counting Officer's fee for the Mayoral Referendum was worked out on a local election rate as this was in fact a local election. However, as the Secretary of State had directed the City Council to conduct the Mayoral Referendum the funding was made available from central government funds through the Department for Communities and Local Government.
- 5.4 The funding for a local election normally comes from local authority funds and follows the same principles as those for a central government funded election. The new Chief Executive is not contractually entitled to a payment for local elections and the previous Chief Executive did not receive any payment for the last local election in May 2011.

6 MONITORING OFFICER'S FEE

- 6.1 The Monitoring Officer has the specific duty to ensure Nottingham City Council, its officers, and its elected councillors maintain the highest standards in all they do. The monitoring officer's legal basis is found in Section 5 of the Local Government and Housing Act 1989 , as amended by Schedule 5 paragraph 24 of the Local Government Act 2000.

The Monitoring Officer's three main roles are:

³ Election duties include general roles such as presiding officer etc and not Returning Officer duties. The total amount paid was £26.25

1. To report on matters they believe are, or are likely to be, illegal or amount to maladministration.
 2. Matters relating to the conduct of councillors and officers.
 3. Responsibility for the operation of the Council's Constitution.
- 6.2 The monitoring officer has a duty to write a report if they consider any proposal, decision, or omission made by the Council, or on behalf the Council, is illegal or would be illegal. The duty is a personal duty, and the monitoring officer cannot delegate it to someone else unless they are ill or away, in which case a deputy monitoring officer can take over the role.
- 6.3 The fee payable to the Monitoring Officer is funded by the Council. When the statutory role was created it was agreed that remuneration would be based on an approximate 10% loading on salary of the Director currently holding the post.

7 PAY RELATIONSHIPS

Without Allowances

- 7.1 The relationship between the Chief Executive's basic pay (£160,000) to that of the Council's non chief officer⁴ average earner excluding allowances (£21,426) is a pay multiple of 1:7.
- 7.2 The pay multiple of the Chief Executive's basic pay (£160,000) to that of the Council's non chief officer median earner excluding allowances (£18,453) is 1:8.

With Guaranteed Payments⁵

- 7.3 The relationship between the average chief officer's pay including guaranteed payments (£117,153) and to that of the Council's non chief officer⁶ average earner including guaranteed payments (£24,548) is 1:4.
- 7.4 The relationship between the median pay of chief officers including guaranteed payments (£101,785) and to that of the Council's non chief officer median earner including guaranteed payments (£20,871) is 1:4.

8 THE COUNCIL'S STATEMENT ON PAY AND CONDITIONS FOR CHIEF OFFICERS FOR 2013/14

The section sets out the Council's approach to determining pay and conditions for chief officers for 2013/14.

(NB. Please refer to paragraph 2.7 of this document for the application of the statements below to Public Health employees transferring to the Council under Statutory Transfer)

⁴ The definition of 'non chief officer' in section 7 includes colleagues on Greater London Provincial Council (GLPC) Senior Leadership Management Group (SLMG) and Local Government Service (LGS) pay and pay scales. It excludes the Chief Executive (CEX), Corporate Directors' (CDIR) pay scales and chief officers on SLMG1 pay in calculating the ratio. The ratio has been calculated using basic FTE pay, not actual pay.

⁵ Includes basic FTE salary, pension – employer contribution, allowances and enhancements paid between 01/04/2012 to 31/01/2013

8.1 Remuneration of chief officers on recruitment

The basic pay for new chief officers will fall within the bandings for their job as set out in Appendix 3. New chief officers will normally start on the minimum pay point for their grading and will not be offered more than the maximum for their grade.

In certain circumstances, it may be necessary to offer a higher starting salary within their pay grading in accordance with 5.2 of the Council's Pay Policy (Appendix 4).

8.2 The level and elements of remuneration for each chief officer

Any changes or amendments to SLMG pay gradings will be subject to consultation with chief officers, their trade union representatives and formal ratification by ACOS. Any decision to pay market supplements or acting up allowances to chief officers will be subject to a business case put forward to the Director of HR and Transformation for approval in accordance with section 8 of the Council's Pay Policy.

8.3 Increases and additions to remuneration for each chief officer

There is currently no incremental progression through the pay band for chief officers. Annual pay awards are negotiated nationally with the trade unions. There have been no pay awards for chief officers for the past four years.

8.4 The use of performance related pay for chief officers

The Council will continue not to offer performance related pay to chief officers due to budget constraints.

8.5 The use of bonuses for chief officers

The Council will not offer bonus payments to chief officers.

8.6 Earn Back Pay

The Council is not intending to introduce the policy of 'earn back pay' which requires chief officers to have an element of pay 'at risk' to be earned back each year through meeting pre-agreed objectives.

The Council is confident that it has robust performance management procedures in place through its Performance Appraisal Framework to deal with poor performance. The Council's Performance Appraisal system requires a number of mandatory competencies and objectives (team and individual) to be met which are reviewed throughout the year.

The competencies include:

Take Responsibility
Work Together
Strive for Better
Care for People
Be Fair

8.7 The payment of chief officers on their ceasing to hold office under or to be employed by the Council

The Council's payment to chief officers leaving the Council under the following types of termination is set out below:

- Redundancy Dismissal – Contractual notice and redundancy pay as set out in the Council's Local Government (Early Termination of Employment) Regulations 2006 (DCR Policy). See Appendix 6 for policy details. Note that if the chief officer is aged 55 or over, under Pension regulations they automatically access their pension benefits without any reduction.
- Efficiency - Efficiency pay as set out in the Council's Local Government (Early Termination of Employment) Regulations 2006 (DCR Policy). See Appendix 6 for policy details.
- Retirement – Under Pension Regulations, chief officers may automatically access their pension benefits from age 65, when they leave employment. The Council does not operate a default retirement age whereby employees are dismissed at age 65.
- Early Retirement – Chief officers can request access to their pension from age 55 with the Council's consent, and the Council may choose to waive the actuarial reduction. Chief officers may retire from age 60 without consent but will leave with a reduced pension unless they are protected by the 85 year rule, which will be phased out by 2016.
- Flexible Retirement – Chief officers may apply to access their pension from age 55 but remain working at the Council either under reduced pay or reduced hours. Any flexible requirement requests for chief officers would need to be approved by ACOS.
- The Council has the power to grant extra scheme membership and/or to award additional pension to chief officers at the discretion of ACOS supported by a business case. See Appendix 7 for policy details.

8.8 Re-employment of former chief officers

Former chief officers will be permitted to apply for vacancies at the Council by following the normal competitive recruitment process.

Where former chief officers are applying for work under a contract for services with the Council (e.g. as a Consultant or casual worker), the Leader of the Council along with the Director of HR and Transformation will scrutinise and decide whether to approve such requests following a consideration of the skills required and an assessment of value for money.

8.9 The Council's Internal Jobs Market

With effect from 1 April 2013, the Council is implementing an internal jobs market (IJM) by utilising existing employees to fill vacancies and undertake project work as and when they arise (other than on occasion, very specialised or entry level posts, which will be converted to Apprenticeships). It will focus on the Council understanding its internal talent pool and planning for what people resource is needed and developing and encouraging employees

to flexibly move from one post to another across the organisation. This will deliver a resourcing and talent management process that is responsive to citizen needs and flexible and efficient for hiring managers, alongside being motivational and fulfilling for employees.

8.10 The appointment of former chief officers in receipt of a pension (pension abatement)

The Council is not in a position to abate pension payments (the act of reducing or suspending pension payments) if a chief officer is re-engaged or re-employed. The Council's pension fund is administered by Nottinghamshire County Council who set the rules for employers to follow on abatement.

Therefore until the policy is amended by Nottinghamshire County Council, the City Council cannot enforce pension abatement for current or former employees.

8.11 Tax Avoidance

The Council takes its obligations to ensuring compliance with relevant taxation legislation very seriously and does not actively engage in or endorse any form of tax avoidance. Therefore, the Council has policies and procedures in place to ensure that the correct amount of taxes are accounted for and paid at the correct time.

All individuals employed or engaged by the Council are treated equally and the level of seniority does not allow for differential treatment in the engagement process, or in the method of remuneration.

The Council recognises that by paying employees through private companies it allows the individual to manage their own tax arrangements, and potentially reduce the amount of tax and national insurance they are obliged to pay, thus implicating the Council in tax avoidance schemes. Therefore, the Council does not and will not remunerate any employee at any level through a private company; all payments will be made through the Council payroll system and PAYE applied accordingly.

In addition the Council has processes and policies in place in order to check the employment status of individuals who are engaged by the Council, ensuring that it's the terms and conditions of the engagement which determine the employment status of the individual. This reduces the risk of employees being engaged in a self employed capacity and making their own tax arrangements, thereby reducing the risk of potential tax avoidance. Only contracts that fully satisfy the self employed criteria will be paid as self employed; all deemed contracts of employments will be remunerated through the payroll system and PAYE applied accordingly

8.12 Shared Senior Management

Currently, there are no shared senior management arrangements with other organisations. From the 1 April 2013, it is anticipated that as a result of the transfer of the public health function from NHS Nottingham City to Nottingham City Council, it is anticipated that the Council will gain an additional chief officer to its structure, however this is yet to be confirmed.

8.13 Pay and Conditions of Lowest Paid Employees

The pay and conditions of lowest paid employees are set out in the Council's Pay Policy (Appendix 5). The Council is currently under consultation to pay as a separate element a supplement to all colleagues on Grade A (£12,145 - £12,787) the difference between Grade A and bottom of Grade B (£13,189) effective from 1 April 2013. This proposal is intended to apply to all employees, schools employees and casual workers.

9 PUBLISHED DOCUMENTS AND PAPERS REFERRED TO IN THE PAY POLICY STATEMENT

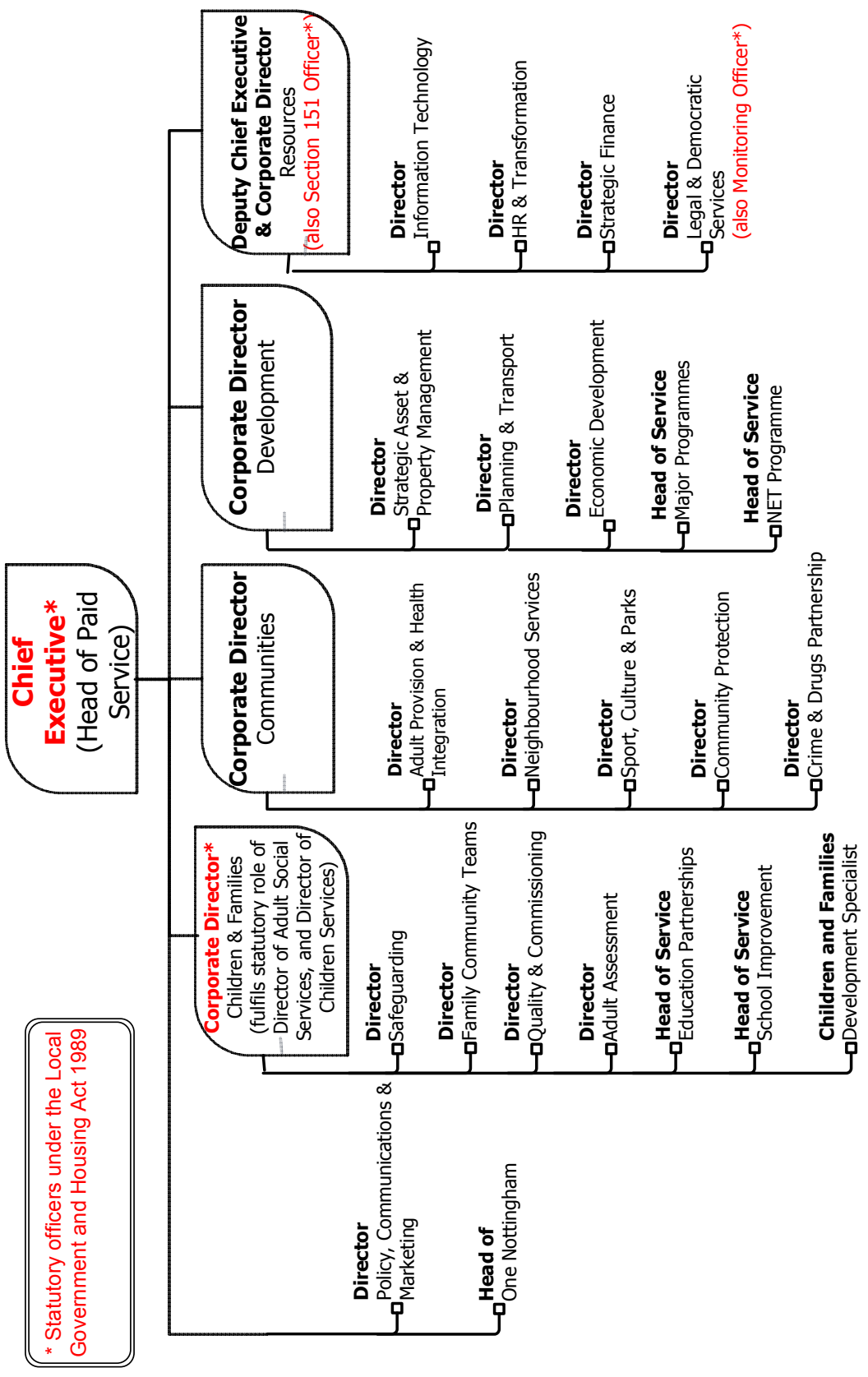
- 9.1 Hutton, W., 2011. *Hutton Review of Fair Pay*. London
- 9.2 Communities and Local Government, 2012. *Openness and accountability in local pay: Guidance under section 40 of the Localism Act*. London
- 9.3 Local Government Association and Association of Local Authority Chief Executives (ALACE), *Localism Act: Pay Policy Statement Guidance for Local Authority Chief Executives*
- 9.4 One Society, 2012. *Leading the Way on Fair Pay: An Assessment of Principal Local Authorities in England & Wales*. London

10 LIST OF APPENDICES

Appendix 1	Nottingham City Council's Chief Officer Structure Chart
Appendix 2	Appointment and Conditions of Service Committee (extract from Nottingham City Council's Constitution Part 2)
Appendix 3	Senior Leadership Management Group (SLMG) and Local Government Scheme (LGS) Pay Scale
Appendix 4	Nottingham City Council's Pay Policy (revision to policy expected from 1 April 2013)
Appendix 5	Matrix of Terms and Conditions
Appendix 6	The Local Government (Early Termination of Employment) (Discretionary Compensation) (England and Wales) Regulations 2006 (DCR) Policy
Appendix 7	Policy in relation to the exercise of discretions under the Local Government Pension Scheme
Appendix 8	Nottingham City Council's Business Travel Scheme Policy
Appendix 9	Nottingham City Council's Reimbursement of Expenditure Policy

Appendix 1: Structure of Nottingham City Council's Chief Officers

Nottingham City Council Structure as at 1 February 2013



* Statutory officers under the Local Government and Housing Act 1989

Appointment and Conditions of Service Committee
(Extract from Nottingham City Council's Constitution Part 2: Responsibility for Functions)

- (a) To undertake the appointment process (long listing, short listing and formal interviews) (or to appoint a politically balanced panel to undertake long listing and, short listing) in respect of the Chief Executive, Deputy Chief Executive and Corporate Directors, subject to having ascertained the views of the Executive Board in accordance with Standing Orders, to make recommendations to Council;
- (b) to determine the terms and conditions of City Council employees and procedures for disciplinary action and dismissal;
- (c) to designate proper officers;
- (d) to designate officers as Head of Paid Service, Section 151 Officer and as Monitoring Officer and to ensure the provision of sufficient staff and other resources;
- (e) to exercise any other personnel functions which cannot be the responsibility of the Executive;
- (f) to receive reports on action taken in respect of terms agreed for the Chief Executive, Deputy Chief Executive, Corporate Directors and the Senior Leadership Management Group (SLMG) leaving the employment of the Council where those terms included compensation;
- (g) determines redundancies, ill health retirements, flexible retirements and terminations of employment by mutual agreement on grounds of business efficiency, under the 85 year rule, in the interests of the efficient exercise of the Council's functions under the Local Government (Early Termination of Employment) (Discretionary Compensation) (England and Wales) Regulations 2006 ('the DCR') and any exercise of discretions to increase total LGPS membership and award additional LGPS membership for the Chief Executive, Deputy Chief Executive, Corporate Directors and Directors subject in the event of a proposed dismissal to relevant notification to the proper officer, and the Executive and relevant consultation with nominated elected members and relevant approval as specified in the Officer Employment Procedure Rules (Part 4);
- (h) determines flexible retirements and terminations of employment by mutual agreement on the grounds of business efficiency, terminations of employment under the 85 year rule, in the interests of the efficient exercise of the Council's functions under the Local Government (Early Termination of Employment) (Discretionary Compensation) (England and Wales) Regulations 2006 ('the DCR') and any exercise of discretions to increase total LGPS membership and award additional LGPS membership for any employee who is part of the Senior Leadership Management Group below the level of Director. The Committee also determines terminations of employment by mutual agreement, and following consultation with the appropriate Portfolio Holder(s), on the grounds of business efficiency under the DCR for employees where any proposed compensation payment is in excess of £30,000;
- (i) to appoint an independent person to investigate matters of misconduct and capability involving the Head of Paid Service, Section 151 Officer and Monitoring Officer;
- (j) to approve any proposals for significant restructuring of the Council's management structure;

- (k) to approve any proposals from the Chief Executive for changes to salary levels (including ranges of salaries) for Corporate Directors and the Deputy Chief Executive.

NB - “Significant restructuring”

- (i) the transfer of a significant function between Council departments, or to an external body, or
- (ii) the addition or deletion of a Corporate Director or Director post to or from a department. The Committee is accountable to Council, has 10 members (politically balanced (one place is reserved for the relevant Portfolio Holder (or their substitute) in relation to matters in respect of the appointment process for the Chief Executive and Corporate Director and the dismissal process for the Chief Executive)), and usually has 5 meetings per annum.

Appendix 3: Pay Scales

Local Government Scheme			
Tier	Grade	Spinal Point	Salary
6	GLPC-A	04	£12,145
		05	£12,312
		06	£12,489
		07	£12,787
	GLPC-B	08	£13,189
		09	£13,589
		10	£13,874
		11	£14,733
	GLPC-C	12	£15,039
		13	£15,444
		14	£15,725
		15	£16,054
		16	£16,440
	GLPC-D	17	£16,830
		18	£17,161
		19	£17,802
		20	£18,453
		21	£19,126
	GLPC-E	22	£19,621
		23	£20,198
		24	£20,858
25		£21,519	
26		£22,221	
GLPC-F	27	£22,958	
	28	£23,708	
	29	£24,646	
	30	£25,472	
5	GLPC-G	31	£26,276
		32	£27,052
		33	£27,849
		34	£28,636
		35	£29,236
	GLPC-H	36	£30,011
		37	£30,851
		38	£31,754
		39	£32,800
40	£33,661		
GLPC-I	41	£34,549	

SLMG			
Tier	Grade	Minimum Salary	Maximum Salary
3	SLMG5	£46,418	£50,800
	SLMG4	£50,803	£57,284
	SLMG3	£57,288	£66,762
2	SLMG2	£66,765	£77,892
	SLMG1	£77,895	£89,017
Corporate Director			
Tier	Grade	Minimum Salary	Maximum Salary
1	CDIR	£120,000	£144,653
Chief		Executive	
Tier	Grade	Minimum Salary	Maximum Salary
1	CX	£165,000	£185,000

		42	£35,430
		43	£36,313
		44	£37,206
		45	£38,042
4	GLPC-J	46	£38,961
		47	£39,855
		48	£40,741
		49	£41,616
		50	£42,505
	GLPC-K	51	£43,396
		52	£44,274
		53	£45,168
		54	£46,092
		55	£47,017

PAY POLICY

Paragraphs (3) (6) and (9) of this Pay Policy are, where applicable, incorporated into individual employees' contracts of employment.

1. Scope of the Policy

This Policy applies to all employees whose terms and conditions are governed by the National Joint Council for Local Government Services (the 'Green Book') as supplemented and/or amended by the policies and provisions of the Council's People Management Handbook.

Paragraphs (2), (4.2), (5.2 – 5.3), (7 -11) of this Policy will also apply to employees covered by the following National Agreements:

- the Joint Negotiating Committee for Youth and Community Workers (JNC);
- the Soulbury Committee - Inspectors, Organisers and Advisory Officers of Local Education Authorities.

Paragraphs (2), (4.2), (5.2 – 5.3), (7 – 11) of this Policy will also apply to employees within the Strategic Leadership Management Group (SLMG).

Paragraphs (2), (4.2), (5.2 – 5.3), (7, 8, 10 and 11) of this Policy will also apply to employees covered by the following National Agreements:

- the National Agreement for Local Authority Craft and Associated Employees;
- the Theatrical Management Association / the Broadcasting Entertainment Cinematograph and Theatre Union (TMA/BECTU);

2. Principles

2.1 The purpose of this Policy is to ensure a fair, transparent and equitable pay system that is free from unlawful discrimination. All decisions made in respect of the Policy will be based on these principles.

2.2 The Policy will be applied in accordance with the roles and responsibilities of officers as set out in the Council's Constitution.

3. Pay System

3.1 The Council has adopted the Greater London Provincial Council (GLPC) system as its method to value all posts covered by the Green Book. The GLPC system measures all jobs on a systematic basis against a set number of factors. All relevant posts are evaluated under this system, and the job evaluation score then determines which pay grade and band a job is assigned to. The pay and grade structure is set out in the table below:

Band	Grade	SCP Min	SCP Max
6	A	4	7
6	B	8	11
6	C	12	16
6	D	17	21
6	E	22	26
6	F	27	30
5	G	31	35
5	H	36	40
5	I	41	45
4	J	46	50
4	K	51	55

3.2 All grades A – K are assigned to one of three bands (4, 5 or 6). Bands 1, 2 and 3 are reserved for SLMG posts.

3.3 Each grade contains a range of spinal column points (scp) which defines the minimum and maximum pay range for each grade. The current values of each scp are available on the intranet and in Appendix 1 of the Pay Policy.

4. **Grading of posts**

4.1 All jobs are assigned to a grade following a job evaluation.

4.2 Where there is a business need to establish a new role or to fill a vacancy that has been empty for a significant period, the line manager will draft the job description, business case and the organisational chart in conjunction with the appropriate departmental HR advisor. The HR advisor will advise whether there is an appropriate generic job description for the role available.

4.3 If a new evaluation is required then the job description will be sent to the Job Evaluation team for grading.

4.4 Where a re-grade of an existing post is considered necessary, the revised job description, together with a summary of what changes have occurred to the job, should be sent via the departmental HR advisor to the Job Evaluation team.

5. **Appointments to new grade**

5.1 Subject to paragraph 5.2, employees will normally start in a new grade on the minimum scp for the grade. No employee will be allowed to move above the maximum for their grade. New starters in grade who start between the 1st April and 30th September will receive an increment on 1 April the following year; new starters in grade between 1 October and 31 March will

receive an increment after six months' employment in that grade. Thereafter, they will receive increments on 1 April each year until the maximum of the grade is reached.

- 5.2 In seeking to recruit from outside the organisation it is possible that there may be the need to offer more than the minimum of the grade. Where such pressures are acute, managers, supported by their HR colleagues, will have to make a judgement based on the relevant experience of the candidate, their potential value to the organisation against the impact on current staff, job description and the pay range for the role. Where a manager needs to offer more to attract the preferred candidate this will need to be detailed and approved in the business case. Factors such as the current salaries of other employees performing that role must also be detailed and considered as part of the business case. A record of all such decisions will be kept and discussed at Central Panel.
- 5.3 The Council will act in accordance with the Fixed-Term Employees (Prevention of Less Favourable Treatment) Regulations 2002. Managers should ensure there is no difference in treatment to permanent employees regarding pay.

6. Allowances

- 6.1 The following allowances (a – o) are the agreed adopted interpretation of those outlined in Part 3 paragraph 2 of the National Joint Council for Local Government Services, National Agreement on Pay and Conditions of Service (Green Book). These allowances apply to all employees covered by this part of the policy and cannot be varied on a local basis.

a) Overtime

- i Employees at or below scp 30 will receive the following enhancements for work undertaken beyond the normal working week:

Monday – Saturday – Time and a half at basic rate

Sunday and Bank Holidays – Double time at basic rate

(Part-time employees must work 37 hours before they are entitled to overtime payments).

- ii In exceptional circumstances, there is discretion to pay overtime to employees above scp 30, but only where the overtime is planned. The rate to be paid for this overtime will be the normal hourly rate for the duties performed. Where managers are required to exercise this discretion the prior approval of the appropriate Head of Service and the HR Service Partner will be required in advance of the overtime being undertaken. The HR Service Partner can then inform HR Shared Services to expect to make the payment.

b) Saturday and Sunday Working

- i Employees above scp 11 but at or below scp 30 who are required to work on Saturday and/or Sunday as part of their normal working week are entitled to be paid at time and a half of basic pay for such hours worked.
- ii Employees at or below scp 11 who are required to work on Saturday and/or Sunday as part of their normal working week are entitled to the following enhancements:

Saturday – Time and a half at basic
Sunday – Double time at basic

- iii In the first month the enhancement will automatically be paid for the hours planned to be worked on a Saturday or a Sunday as part of their normal working rota. The actual hours worked at the weekend will be monitored on a monthly basis to ensure the actual weekend hours are worked as expected. Subject to the provisions of 6.3, the enhancement will be amended for the second and subsequent months in the event that these hours are not worked.

c) Night working

- i Employees at or below scp 30 who work at night as part of their normal working week are entitled to receive an enhancement of time and one third for all hours worked between 11.00pm and 6.00am.
- ii In the first month the percentage will automatically be paid for the hours planned to be worked between 11.00pm and 6.00am on their normal working rota. For equal pay purposes actual night time hours will be monitored on a monthly basis to ensure the night hours worked are as expected. Subject to the provisions of 6.3, the enhancement will be amended for the second and subsequent months in the event that these hours are not worked.

d) Public Holidays

- i Employees at or below scp 30 who are required to work on a public holiday as part of their normal working week shall, in addition to the normal pay for that day, be paid additional 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 a day

Time worked more than half the normal working hours on that day – full day

- ii Overtime worked on a public holiday shall be paid at normal overtime rates.
- iii. For employees above scp 30, time off in lieu only will be applicable.

e) Sleep-in Duty

Employees who are required to sleep-in on the premises shall receive the nationally agreed rate set by the National Joint Council from time to time. This allowance covers the requirement to sleep-in and up to 30 minutes call out per night, after which the additional hours provisions will apply.

f) Shift working

No enhancement for shift working will be paid. Shifts that fall into unsocial hours (i.e. after 8.00pm and before 6.00am) or over a weekend will attract the appropriate enhancements as above for employees at or below scp 30.

g) Free and rest day working

Overtime rates will apply for employees at or below scp 30 who are required to work on a free or a rest day.

h) Evening working

Employees at or below scp 30 who are required to work after 8.00pm and before 11.00pm as part of their normal working week will be paid at basic rate plus five percent for all hours worked between those times. In the first month the percentage will automatically be paid for the hours planned to be worked between 8.00pm and 11.00pm on their normal working rota. For equal pay purposes actual evening working will be monitored on a monthly basis to ensure the hours worked are as expected. Subject to the provisions of 6.3, the enhancement will be amended for the second and subsequent months in the event that these hours are not worked.

i) Recall to work

- i Employees at or below scp 30 will receive a minimum of two hours pay at basic rate for the first call-out session. Any hours worked over the first two hours (including travel time) and subsequent call outs in the same session will receive the appropriate overtime.
- ii Employees above scp 30 will receive time off in lieu for the actual time spent at work in addition to travel time of up to 60 minutes accumulated and calculated to the nearest quarter of an hour.
- iii Where the time spent at work (i.e. any recorded working time) is in excess of the statutory unpaid rest periods set out in the Working Time Regulations 1998, compensatory unpaid time off will be provided.

j) Standby Duty

To return to work

- i The nationally agreed stand-by rate per session will be paid to employees who are on a standby-by duty rota to provide services out of hours. A session equates to any period of 24 hours or less. Employees on standby to return to work must:
 - be directly contactable;
 - remain fit and capable to return to work to undertake duties required;
 - be immediately available to return to work; and
 - be able to arrive at work within 45 minutes of being notified.

On call to provide telephone support

ii The nationally agreed standby rate per session will be paid to employees on a standby duty rota to provide telephone support out of hours. A session equates to any period of 24 hours or less. Employees on call to provide telephone support must:

- be directly contactable; and
- remain fit and capable to undertake the duties required.

iii The session payment covers the period on call and any calls amounting to less than one hour. Any calls in excess of one hour should be recorded as working time and claimed in accordance with normal additional hours or overtime payments as appropriate for employees at or below scp 30. Time off in lieu will be given for those above scp 30.

iv Where the time spent at work (i.e. any recorded working time) is in excess of the statutory unpaid rest period entitlements defined in the Working Time Regulations 1998, compensatory unpaid time off will be provided.

k) Unavoidable split shift or split duty working

No enhancement for split shift or split duty working will be paid.

l) Irregular Hours working

No irregular hours payments will be paid.

m) Lettings

Payments will be made to those responsible for opening and closing school premises let out after normal hours in accordance with the arrangements set out in the East Midlands Provincial Council agreement.

n) Client Holidays

An allowance of £50 per day will be paid to employees accompanying clients on holiday.

o) Unpaid Lunchtimes/Provision of Meals

i All lunchtimes will be unpaid unless a business case exists for employees to eat with clients sufficient to provide a Genuine Material Factor defence for the payment and such activities have received prior approval from the employee's manager.

ii Meals will not be provided to any member of staff unless a clear business case exists for the employee to eat a meal with the client sufficient to provide a Genuine Material Factor defence for the provision of the meal and such activities have received prior approval from the employee's manager.

6.2 In the event that more than one allowance could be applied, then it is only the highest allowance that applies.

6.3 Allowances for unsocial hours will not be payable for periods of sickness absence or for contractual annual holidays (over and above the statutory minimum under the Working Time Regulations) so as to avoid creating equal pay liabilities.

6.4 No other allowances will be paid to employees covered by the National Joint Council for Local Government Services National Agreement on Pay and Conditions of Service (Green book).

7. Allowances for temporary additional duties or responsibilities / acting up allowances

7.1 This section sets out the principles under which additional payments should be made to employees who temporarily undertake additional duties and responsibilities or act up in a higher graded post. The opportunity to act-up can provide employees with a valuable opportunity to develop skills and gain experience in preparation for possible future promotion. For this reason the process for acting up arrangements needs to be transparent, fair and in keeping with the Council's responsibilities for equality, and in line with the principles of On Merit. Employees are entitled to be fairly rewarded on the basis outlined below for being asked to undertake additional responsibilities which are above and beyond the scope of the grade of their post.

7.2 In many cases, the absence of a senior officer means that additional duties are shared by a number of employees. Payment of an allowance is only appropriate where additional responsibilities of a higher grade have been undertaken, not simply an increase in the volume of work. The process set out below must be followed.

7.3 Employees who undertake agreed additional duties and responsibilities for longer than one month will be entitled to a temporary allowance as follows:

- If undertaking 100% of a higher graded post then an allowance equivalent to the minimum point of the higher graded post.
- If undertaking less than 100% of the responsibilities of the higher graded post then a job evaluation exercise will be required to determine whether the additional responsibilities justify a temporary allowance equivalent to a higher grade.
- If the additional responsibilities of a higher graded post are shared between a number of employees then a job evaluation exercise for each affected employee will need to be undertaken by the Job Evaluation Team to determine whether the additional responsibilities justify a temporary allowance equivalent to a higher grade.

7.4 Acting up allowances are payable only where an employee takes on the full duties and responsibilities of a higher graded post for a continuous period of at least one month. This may occur as a result of:

- temporarily filling a post until a substantive appointment can be made;
- filling a key post while another employee is on maternity leave;
- filling a key post to cover long term sickness absence;
- filling posts due to other temporary extended leave arrangements e.g. secondments.

Authorisation and payment

- 7.5 Where a manager believes that payment of a temporary allowance for additional duties and responsibilities or an acting-up payment is appropriate, they should seek the authorisation of their Director and HR Service Partner to check that the conditions outlined above have been met. In addition, the manager must confirm this in writing with the employee and the employee must be asked to sign the letter to indicate their acceptance of the temporary change to their contract of employment. The letter should indicate an end date for the payment of the allowance if known, or the circumstances on which the allowance is likely to end, e.g. when a certain employee returns to work.
- 7.6 Subject to 7.7, payment will be based on the difference between the employee's substantive pay and the bottom point of the grade of the new duties being undertaken and, if less than 100%, the percentage time spent on these new duties. Where an employee is undertaking 100% of the duties of a higher graded post (i.e. acting up arrangements) payment should be based on the salary which would apply were the employee to be promoted to the higher level post, which would normally be the bottom point of the higher graded post.
- 7.7 Employees who are on protected salaries who undertake duties of a higher grade than their evaluated grade, but not higher than their protected salary are not entitled to receive any additional pay. They should still be encouraged to undertake the opportunity of acting up/additional duties and responsibilities as part of their development to assist them in improving their promotion prospects.
- 7.8 Temporary allowances should be implemented without unreasonable delay once the qualifying conditions are met, and will be backdated to the agreed start date of the additional duties and responsibilities/acting up arrangement. However, where possible the authorisation process should take place in advance of the arrangement commencing.
- 7.9 Payments should be funded from cost centres' employee budgets and therefore managers are reminded to be aware of the financial implications of any decisions in relation to how they cover for employee absences. In particular they should consult HR and Finance before making any decisions

Timescales and ending the arrangement

- 7.10 Wherever possible, the likely duration of the additional duties and responsibilities / acting up arrangement should be indicated before it commences. If this is not possible, the arrangements should be regularly reviewed. It must be remembered that this is a temporary arrangement and should not normally be allowed to exceed 12 months.
- 7.11 Performance of the additional duties and responsibilities or in the acting up position should be regularly reviewed in conjunction with the employee who may need additional training and support, and in line with good management practice. If concerns regarding performance do arise then these should be discussed before the decision is taken to end the arrangement.
- 7.12 At least one week's notice of the end of the arrangement should be given and a further letter confirming the change of circumstance needs to be issued by the manager. In addition, the manager needs to confirm the end of the arrangement with HR admin to ensure that the temporary allowance for undertaking additional duties and responsibilities/acting up is ended. Settling back in to their original role can be difficult for an employee and managers need to be sensitive to potential problems in this respect. There is no automatic right to the substantive post for employees who have acted up. However, employees who have

acted up in a post who are not subsequently appointed following competitive interviews must receive constructive feedback as to why they were not successful.

Subsequent promotion to the higher grade following acting-up arrangement

- 7.13 If an employee is subsequently promoted to the higher graded post they have been acting up into, periods of acting up will be taken into account when deciding the point on the salary scale on which they are appointed.

Covering the workload of the person acting up

- 7.14 Options for this include redistributing duties, appointing a temporary employee, looking for another employee to act up or second into their post. These options should be discussed with Human Resources before they are implemented.

8. Market Supplementation

- 8.1 This section derives from the need to consider market forces in relation to the pay and grading arrangements. Market supplementation is a means of making additional payments or providing enhanced benefits to staff without breaching equal pay legislation or deviating from the principles of job evaluation.
- 8.2 This policy explains the circumstances in which market payments or other recruitment and retention based benefits may be applied and the process for discharging them.

Compiling a case

- 8.3 Market supplementation will only be applied where there is strong evidence that pay for a specific role(s) is impacted by an inability to recruit or in some cases is a cause of high turnover.
- 8.4 Cases must be put forward to the HR Director by the appropriate Director or Head of Service (2nd or 3rd tier) and must have been endorsed by their Corporate Director (or Chief Executive for Corporate Directors).
- 8.5 The case presented should address as a minimum the following criteria and should also present details of the level of payment and/or benefit proposed:
- a) Evidence of difficulty in recruiting, which may include:
 - Number of times a post has been advertised unsuccessfully
 - Media used
 - Cost incurred
 - Number of responses
 - Summary of gap between the person specification requirements and the quality of applicants
 - A particular skills shortage in the Nottingham area for that type of job.
 - b) Evidence for high turnover, which may include:
 - Exit interviews indicating pay as a significant reason for leaving

- Turnover as actual figures as a percentage in comparison with turnover rates with other comparable organisations.
- Average length of service of leavers compared with average length of service for organisation.
- Evidence of high internal staff turnover.

- 8.6 The manager will, in all cases, need to present evidence from current pay surveys to demonstrate that the level of pay for comparable posts in other locally comparable organisations is significantly higher than in Nottingham City Council. For example, the manager should be able to provide examples of comparable jobs with similar duties, competence requirements, management span, location in structure and budgetary responsibilities. It is not enough for the title alone to be compared. Comparisons must be based on the whole package (i.e. including leave entitlement, pension, bonus and other benefits) not just salary. Where exact comparisons are not possible, the case should state that data does not exist and provide the best data available as part of a robust business case. Geographical evidence on a comparable regional basis would normally only be appropriate to Band 4's and higher.
- 8.7 Evidence that other measures have been considered to support retention, for example, development opportunities will be useful and should be included to support the business case. Further advice on compiling a case is available from HR Service Partners.
- 8.8 Submitted cases must include details of the numbers of posts affected, the types and mix of supplementation proposed, the proposed level of supplementation, the methodology for discharging the supplementation, the basis for withdrawal and the total cost implication (to include equivalent cash value for non-pay benefits).
- 8.9 Submitted cases must state how it is proposed to fund the cost of supplementation. There is no central budget for market supplementation. Costs must be accommodated within existing departmental budgets.

Financial Considerations

- 8.10 The salary for the post, together with any market payments and/or benefits that are of a recurring nature, must not exceed 15% above grade maximum when equated to an annual sum in any one year. Examples of recurring market supplementation include regular payments added to substantive pay and increased annual leave. It will therefore be necessary to calculate the equivalent cash value for non-pay benefits to ensure that the 15% maximum is not exceeded.
- 8.11 Market supplementation that is of a 'one-off' nature such as 'Golden Hellos' must not exceed 15% above grade maximum when equated to an annual sum in any one year.
- 8.12 Managers should be aware that it is unlikely that market payments of a recurring nature that amount to a cash value in excess of £5000 pa will be approved.
- 8.13 Market supplements will be paid as a percentage amount on top of the appropriate scp. The percentage applies to the whole of the scp range for the post and the position of the employee within that should be in line with the normal rules for appointment i.e. normally to the minimum of the scp range. The percentage amount will be calculated as a premium and applied equally to all posts covered by the market supplement (subject to the requirements in

para. 8.22) whichever scp within the pay grade individuals happen to be on at the time the market supplement is approved.

- 8.14 Under no circumstances must spinal column points be used as a means of paying a market supplement.
- 8.15 Market supplement payments of a recurring nature will usually be paid in equal instalments in addition to basic pay. Arrangements for discharging other payments and/or benefits will be as incorporated and approved in the original case put forward by the Head of Service.
- 8.16 Pay awards will not apply to the market supplement. The value of market supplementation can only alter following review and approval. All market supplements must be reviewed on an annual basis to ensure that the Genuine Material Factor defence still exists for the payment.

Contractual considerations and review

- 8.17 Market supplements are non-contractual discretionary payments and are subject to review. Employees should be made aware of the fact that they have no contractual entitlement to the market supplement and that receipt of the market supplement in one year does not entitle them to receive a market supplement in a subsequent year.
- 8.18 The market supplement will be subject to a review between 12-24 months after commencing, alongside any new cases. This is to ensure that any changes that occur in the job market are reflected. The review may result in no change, an increase, decrease or cessation. The contractual position must make this clear and specify the review period. Due to the nature of one-off payments, such as 'Golden Hellos', review may not be appropriate unless they are linked to other requirements such as; remaining in post for a minimum length of time. Any such linked requirements should be stated clearly in the submitted case and in the contractual documentation.
- 8.19 The full case, together with up to date salary and any other change data, must be submitted for the review. It is the Head of Department's responsibility to re-submit the case – reminders will not be sent. The supplementation will cease automatically if the case is not re-submitted.

Withdrawing the market supplement

- 8.20 If following review it is decided that recurring market-based supplementation, including any pay and benefits should cease, this should be withdrawn on an immediate basis.

General

- 8.21 The appropriate trade unions should be consulted when agreeing and terminating a market supplement.
- 8.22 Market supplementation will apply to all identical posts across the organisation, unless specific locations are identified in the case put forward. Supplementation will not just apply to vacant posts. However, the fact that a post has been awarded market supplementation will not be justification for related posts to receive additional pay. Individual cases for individual posts must be made.

- 8.23 When advertising a post that is in receipt of market supplementation, the advert must indicate the actual grade salary of the role plus the additional market supplementation element(s) on top of this. Advice should be sought from HR if any clarification is required.
- 8.24 Individual recipients of market supplementation may raise concerns over the process as described in this policy, using the grievance procedure.

Roles and responsibilities

- 8.25 Heads of Service and above (Bands 1, 2 and 3) are responsible for compiling and submitting cases, resubmitting them on an annual basis if required and consulting with the trade unions. In completing their cases the Head of Service can call on their HR Service Partners to provide advice and guidance.
- 8.26 The decision for considering and approving cases rests with the Director of HR and is final.
- 8.27 HR Administration are responsible for implementation of the market supplement.

Monitoring and evaluation

- 8.28 Evaluation, decision making and monitoring will be the responsibility of the HR Function and will be shared at Central Panel.

9. Pay Protection

- 9.1 Employees who are redeployed into a lower graded post as a result of a formal restructuring or because they are at risk of redundancy may receive pay protection for a period of not more than one year (the 'protection period'). Pay protection will only apply where the employee is redeployed into a job not more than two grades below the employee's previous grade. (Where an employee is redeployed because they are unable to fulfil the duties of their existing job because they are disabled within the meaning of the Equality Act 2010 (and any reasonable adjustments have been considered), they will be treated no less favourably in terms of the pay protection than employees who are redeployed because they are at risk of redundancy.)
- 9.2 Employees will be moved to the maximum point of their new grade and will receive the difference in salary between the two roles as a protected element in addition to their new basic salary. Employees will receive pay awards on their new basic salary but not on the protected element.
- 9.3 Pay protection will be calculated on contracted hours and will only be payable while the employee performs the post to which the pay protection element applies.
- 9.4 Where an employee's normal working hours are decreased during the protection period, the pay protection element will be pro rated accordingly.
- 9.5 In certain circumstances, where an employee temporarily reduces their hours the pay protection element will be temporarily reduced. If the employee increases their hours again within the pay protection period, the pay protection element will increase in line with the employee's increase in hours with the proviso that the employee's overall pay (inclusive of the pay protection element) will not increase to a level that is higher than the initial pay protected salary. Such cases may include situations where a woman returning from maternity

leave wishes to return on reduced hours temporarily gradually increasing her hours over a defined period.

- 9.6 Subject to 9.5 and 9.10, where an employee's normal working hours are increased during the protection period the pay protection element will not change. However, where the increase in hours allows the employee to maintain their former basic salary, the pay protection element will cease.
- 9.7 Where an employee is promoted to a higher grade during the protection period the employee shall be placed on the SCP in the grade which is equal to the protected salary and pay protection will cease. (Where no such SCP exists, the employee shall be placed on the lowest SCP in the grade which has a salary greater than the protected salary. Where neither of these is possible, the employee shall be placed on the highest available SCP in the grade and any pay protection element remaining shall be paid for the remainder of the protection period.)
- 9.8 Pay protection will cease automatically when the protection period ends. If pay protection is continued beyond the protection period in error, the Council reserves the right to recover any overpayment made in accordance with Section 10 of this policy.
- 9.9 Where an employee undertakes additional duties and responsibilities over and above their new grade the pay protection element must be taken into account in accordance with paragraph 7.7 of this policy before any additional payment is considered.
- 9.10 Only an employee's basic salary will be protected. An employee's previous terms and conditions, including any contractual allowances and market supplementation payments, will not be protected. Similarly, an employee's previous hours will not be protected. Where an employee is redeployed into a lower-graded post which carries more hours, protection will not apply where the increase in hours enables the employee to maintain their former basic salary.
- 9.11 Pay protection will not apply where an employee is downgraded due to misconduct or capability.
- 9.12 Nothing in this Policy shall entitle an employee to receive any pay protection which amounts to a sum greater than their actual financial loss.

10. Overpayments

- 10.1 On occasion, overpayments of salary or expenses may occur as a result of administrative oversight, error or late notification of payroll changes. After an investigation of the facts, recovery of the overpayment will be the normal approach taken where an overpayment of salary or expenses is discovered.

Is the overpayment recoverable?

- 10.2 Under the Employment Rights Act 1996, an employer is entitled to deduct from an employee's wages (even without the consent of the employee) an overpayment of wages made to the employee as long as recovery is lawful under general legal principles. In order to decide whether recovery is lawful there needs to be an investigation of the cause and surrounding circumstances of the overpayment including the wording of any contractual documentation.

10.3 Overpayments are normally recoverable. There may be circumstances where the Council considers writing off an overpayment, but these will be rare and, as a minimum, the following would need to apply:

- The employer has led the employee to believe that he or she is entitled to treat the money as his/her own, **and**
- The employee has, in good faith, changed his or her position (i.e. spent the money believing it to be his or her own), **and**
- The overpayment was not caused primarily by the fault of the employee.

10.4 An example might be where an employee has queried their pay with payroll and been assured that the calculation is correct and the money due to the employee. Another example where the employee may have acted in 'good faith' is where an overpayment is made consistently over a substantial period, and the amount overpaid each month is a relatively small amount and not reasonably identifiable to the employee as an overpayment.

Guidelines for recovery

10.5 Recovery of overpayments will be the normal approach in the majority of cases. There may be circumstances when partial repayment or writing off the overpayment is considered, for example, where the employee can demonstrate that they did not know, nor could reasonably have known, that an overpayment had occurred.

10.6 However an overpayment comes to light, the HR Administration team must be notified in all instances. HR Admin will write to the employee's manager with a written explanation of the overpayment which will detail, where relevant:

- How the overpayment occurred
- Over what period overpayment occurred
- The total amount overpaid
- The net amount to be repaid once deductions for tax and NI are taken into account.

A letter, containing the same information, will be sent to the employee enclosing an Overpayment Recovery Option (ORO) Form.

10.7 The employee's manager, having sought advice from their departmental HR Officer, should (where the need arises) meet with the employee to discuss the overpayment and how this is to be resolved. An employee may choose to be accompanied at this meeting by a trade union representative or a work colleague if they wish.

10.8 The method of recovery of the overpayment could be decided at this meeting having regard to the options which are:

- (a) A one-off payment for the full amount via salary deduction;
- (b) A cheque payment for the full net value payable to Nottingham City Council; or,
- (c) In regular instalments via salary deduction.

In discussing the options with the employee, managers should have regard to Financial Regulations which stipulate that the maximum recovery period for overpayments should not

exceed 12 months unless the Chief Finance Officer has agreed an extended period in exceptional circumstances.

- 10.9 The employee should return the ORO Form to HR Admin with their preferred recovery method. Although the employee's written consent to the recovery of the overpayment is not legally required, it is good practice to try and obtain written agreement for overpayments. Where the employee does not return their ORO Form or indicate their preferred recovery method within the timescales specified, recovery of the overpayment will proceed on a default basis. The default recovery method is option (c).
- 10.10 In implementing an overpayment recovery arrangement, Nottingham City Council will act reasonably and in all cases of recovery, the amount being repaid must not result in the employee's basic hourly rate falling below the national minimum wage.
- 10.11 It is important that overpayments are handled fairly and consistently to avoid any hint of favouritism or unlawful discrimination. It is not acceptable to pursue overpayments for some employees but agree to 'write them off' for others. Managers should not allow employees to work additional hours and receive paid overtime as a way of 'paying off' the overpayment. If overtime is necessary and approved this is a separate matter and should not be used to offset the amount owed by the employee who has been overpaid.
- 10.12 If there are compelling reasons why the overpayment is not to be recovered the manager should discuss the reasons for non-recovery with HR and prepare a report outlining the rationale to be forwarded for consideration by the Chief Finance Officer. HR Admin will need to be advised by the appropriate manager not to pursue the overpayment until the report has been considered and a decision communicated.

The process for school-employed staff

- 10.13 While it is expected that the principles of this guidance are followed for school-employed staff, the method of recovery may differ depending on the nature of the buy-back arrangements for HR/Payroll Services with the school in question.

Disputes

- 10.14 Where an employee disputes the overpayment or the proposed recovery arrangement, legal advice may be sought on the matter.

Overpayments where the employee is no longer employed or is on notice

- 10.15 Where an employee leaves the employment of the Council within the period of an overpayment recovery arrangement, where appropriate any outstanding balance will be deducted from their final pay. Where final pay is not enough to cover the amount of the overpayment, then the outstanding amount will be due to be repaid to the Council within one month after termination of employment.
- 10.16 Where an employee has been overpaid and has subsequently left the employment of the City Council, any outstanding balance will be dealt with as a sundry debt.

Confidentiality

10.17 The confidentiality of employees will be strictly preserved in any overpayment situation and the details of the overpayment and the recovery arrangement will be released on a strict need-to-know basis.

11. Responsibilities in applying the pay policy

Directors

11.1 The day to day operational management of pay rests with Directors who are accountable for their budgets. It is therefore the Director's responsibility to ensure that all pay decisions are equitable, reasonable, and affordable, within the existing budget and within Nottingham City Council's pay policy.

Managers

11.2 Due to the risk that equal pay poses managers must apply the pay policy in all cases and must not make payments that do not accord with it. Any proposals to make payments outside of this policy must be agreed by the HR Director and be signed off by SMT and Central Panel.

HR Admin and payroll

11.3 HR admin and payroll will not make payments that are not in accordance with this policy without the permission of the Director of HR.

Appendix 1 – LGS Pay Scales

SCP	1 Apr 08	1 Apr 09
4	£11,995	£12,145
5	£12,160	£12,312
6	£12,334	£12,489
7	£12,629	£12,787
8	£13,027	£13,189
9	£13,421	£13,589
10	£13,703	£13,874
11	£14,587	£14,733
12	£14,891	£15,039
13	£15,291	£15,444
14	£15,570	£15,725
15	£15,895	£16,054
16	£16,278	£16,440
17	£16,663	£16,830
18	£16,991	£17,161
19	£17,626	£17,802
20	£18,270	£18,453
21	£18,937	£19,126
22	£19,427	£19,621
23	£19,998	£20,198
24	£20,652	£20,858
25	£21,306	£21,519
26	£22,001	£22,221
27	£22,730	£22,958
28	£23,473	£23,708
29	£24,402	£24,646
30	£25,220	£25,472
31	£26,016	£26,276
32	£26,784	£27,052
33	£27,573	£27,849
34	£28,353	£28,636
35	£28,947	£29,236
36	£29,714	£30,011
37	£30,546	£30,851
38	£31,439	£31,754
39	£32,475	£32,800
40	£33,328	£33,661
41	£34,207	£34,549
42	£35,079	£35,430
43	£35,953	£36,313
44	£36,838	£37,206
45	£37,665	£38,042
46	£38,575	£38,961
47	£39,460	£39,855
48	£40,338	£40,741
49	£41,204	£41,616

Appendix 2 – Variations to the Policy

In certain circumstances, the Council will agree a variation to the above policy for certain groups of staff. These variations will be agreed by Central Panel or such other body as agreed. They must comply with Equal Pay law and have no taint of discrimination for the basis of them or their application.

All requests for any variations to the policy must have a full business case provided and have been agreed with the relevant HR Business Partner and the appropriate HR Corporate team.

The current agreed variations are:

Market Supplementation - Exemptions to Section 8 of the Pay Policy

Aerobics Instructors

A market supplement will apply to pay an overall rate of £16.07 per hour inclusive of any enhancements for evening and weekend working. This supplement is subject to review in accordance with Section 8 of this policy.

(Approved 1 November 2011 for 24 months. Review 1 November 2013).

Approved Mental Health Practitioners

A market supplement of £1700 per annum (pro rata for part time workers) will be paid to Approved Mental Health professionals whose duties include participation in an AMPH rota to undertake mental health assessments and, where necessary, admit clients to hospital for compulsory psychiatric assessment. This market supplement is subject to review in accordance with Section 8 of this policy.

(Approved 7 January 2013 for 12 months. Review 7 January 2014.)

IT Networks

A market supplement of 15% of pay to be applied to the posts of:

Team Leader, IT Networks and Communications, Delphi post number CSITNETCTL01

IT Network Analyst, Delphi post number CSITNETWAN01 (3 posts).

This supplement is subject to review in accordance with Section 8 of this policy after 24 months.

(Approved 4 January 2012. Review 4 January 2014)

Night Working - Exemptions to Section 6 of the Pay Policy

Emergency Duty Team

The discretion to pay enhanced rates for night time working will be applied to staff employed in the Emergency Duty Team in the form of a 20% plussage.

(Approved 20 November 2010 for 24 months. Review 20 November 2012)

Overtime - Exemptions to Section 6 of the Pay Policy

Children's Residential Managers above scp 30

Those managers required to work overtime will receive overtime rates in line with the above policy at Section 6.1 (a)(ii) instead of time off in lieu (TOIL).

(Approved 7 January 2013 for 12 months. Review 7 January 2014)

Emergency Duty Team

Employees below SLMG level and above scp 30 will be able to access overtime in accordance with Section 6.1 (a)(ii) of the Pay Policy for participating in the EDT On Call Rota where the additional hours cannot reasonably be contained within normal TOIL provisions.

(Approved 7 January 2013 for 12 months. Review 7 January 2014)

Social Work Practice Assessors

Social Workers above scp 30 engaged in social work practice assessment type work will be able to access payment of overtime in accordance with Section 6.1 (a)(ii) of the Pay Policy where this work is undertaken. This is subject to the following conditions:

- Payment is in respect of work actually undertaken that cannot reasonably be accommodated within the normal working week or within normal TOIL provisions;
- Overtime is capped at up to 3 hours per week.

(Approved 9 January 2013 for 6 months. Review 9 July 2013).

Residential Care Assistants

Residential Care Assistants who temporarily act up into the Team Leader role will receive an allowance for undertaking additional duties without them having to have the one month qualifying period as required by section 7.3 of the Pay Policy subject to the following conditions:

- Residential Care Assistants will receive this allowance where required to act up as Team Leader for the minimum of a full 'shift' as part of their 'normal' working week (i.e. contractual hours);
- Where such work is undertaken on an ad hoc basis and in addition to their normal working week this should be treated as casual work;
- That the service consider the approach to Team Leader act ups and whether this is the most appropriate arrangement taking into account the requirements of the service needs to be delivered;
- The exception is reviewed after 6 months to ensure that the rationale still applies.

(Approved 9 January 2013 for 6 months. Review 9 July 2013)

Emergency Home Care Managers

Access to the unsocial hours allowances in paragraph 6 of the Pay Policy to Home Care Managers working in the Emergency Team for undertaking unsocial hours as part of their normal working week.

This approval is subject to the exception being reviewed after 6 months to ensure that the rationale still applies.

(Approved 9 January 2013 for 6 months. Review 9 July 2013)

Tool Allowance

A tool allowance of £29.81 per month for Vehicle Fitters and apprentices who work in the Vehicle Maintenance Garage where tools that are essential for the work are not provided by the Council subject to this exception being reviewed after 12 months to ensure that the rationale still applies. The amount of the allowance will be increased in line with the national craft worker agreement.

(Approved 7 January 2013. Review 7 January 2014)

Sports Coaches

Exemption to Sections 6 and 8 of the Pay Policy

A market supplement will apply to pay an uplift of 15% to the hourly rate for Sports Coaches, inclusive of any enhancements for evening and weekend working. This supplement is subject to review in accordance with Section 8 of this policy after 24 months.

(Approved 1 October 2011. Review 1 October 2013)

Sessional Interpreters

Exemption to Sections 6 and 8 of the Pay Policy

A market supplement will apply to pay an overall rate of £15.00 per hour inclusive of any new enhancements for evening and weekend working. This supplement is subject to review in accordance with Section 8 of this policy after 24 months.

(Approved 1 December 2011. Review 1 December 2013)

Sessional Translators

Translators to be paid £7.50 per 100 words translated subject to review after 12 months to ensure that the rationale still applies.

(Approved 7 January 2013. Review 7 January 2014)

Youth Crime Audit Officer

Payment will be made of a London Weighting in accordance with the London Agreement (Gold Book) to the Youth Crime Audit Officer whilst on secondment to the Youth Justice Board (wef 11 November 2012). This payment will cease when the secondment ceases.

(Approved 9 November 2012. Review 9 November 2013)

Appendix 5: Matrix of Terms and Conditions

Terms and Conditions (as at 1 February 2013)	Chief Executive	Other Chief Officers	LGS Employee
Basic Pay ⁷	✓ Contractual Current pay £160,000 Range £165,000 - £185,000	✓ Contractual Range £46,418 - £144,653 Competency pay from previous year may take pay up to £1500 over maximum salary band	✓ Contractual Range £12,145 - £47,017
Performance Related Pay ⁸	X	X	X
Incremental progression (frozen for years 2011/12 and 2012/13. Proposal to freeze for 2013/14)	X	X	✓
Annual cost of living increase (nationally negotiated – frozen for chief officers for past 4 years and LGS employees for past 3 years)	✓	✓	✓
Market Supplement Payment (Restricted - based on business case requiring evidence. Approval by Director of HR and Transformation. Reviewed every 12-24 months)	✓ but not in receipt of payment and historically never offered to the Chief Executive	✓ As at 1 Feb, two Chief Officers are in receipt of payment totalling £1390 between them to date.	✓
Overtime, evening, weekend, night working payments	X	X	✓ Contractual
Out of hours, recall to work, standby payments, critical incidents, sleep in duty, shift working, client holidays payments	X	X	✓ Contractual
Acting up allowances, honoraria and ex gratia payments	X	✓ As at 1 Feb, five Chief Officers are in receipt of payment totalling £3290 between them to date.	✓
Monitoring Officer Payment (statutory duty) ⁹	X	✓ payment of £11034 made to one chief officer	X
Returning/Counting Officer Payment (to run elections) ¹⁰ or Election Duty Payments	✓ however no payment made for last local election in May 2011	✓ if acting as deputy, this payment is paid out of the Returning Officer's personal fee	✓ if working on elections
Bonus payments	X	X	X
Redundancy Payment (same multiplier criteria used for all groups)	✓	✓	✓
Efficiency Payment (same criteria used for all groups) ¹¹	✓	✓	✓

⁷ See Appendix 3 for pay bandings

⁸ A competency based pay scheme was in operation for SLMG managers until 1 April 2011 where it was removed

⁹ This payment is being made to fulfil a statutory obligation and paid to one Chief Officer

¹⁰ This is a bulk payment made to a nominated chief officer to fulfil the duties of running Local, European or Parliamentary elections.

Terms and Conditions (as at 1 February 2013)	Chief Executive	Other Chief Officers	LGS Employee
Relocation Payments	✓	✓	✓
Essential Car User Allowance (restricted and dependant on role)	X	X	✓ where criteria is met
Company Car	X	X	X
Car Parking Allowances (restricted and dependant on role; the majority of employees pay for their own parking)	X	X	✓
Travel expenses within County of Nottinghamshire	X	X	✓
Travel expenses outside of County of Nottinghamshire (Must use standard rail fare. mileage capped at 40p per mile for 10,000 miles and 25p per mile thereafter) ¹²	✓	✓	✓
Disturbance Allowance (paid up to one year for significant changes to work location)	X	X	✓
Payment for home telephone line for work purposes	X	X	✓ approx 12 employees receive this payment
Reimbursement of reasonable expenditure (limits apply equally to all groups and receipts must be provided) ¹³	✓	✓	✓
Sickness Pay entitlement linked to length of service – applied equally to all groups	✓ Contractual	✓ Contractual	✓ Contractual
Notice Period	✓ Contractual 3 months	✓ Contractual 3 months	✓ Contractual 1-2 months
Payment of Membership Fees	X	X	X
Access to the Local Government Pension Scheme – employer and employee contribution (Employer rate contribution currently 18% for all groups)	✓ Contractual Employee rate: 7.5%	✓ Contractual Employee rate: 7.2-7.5%	✓ Contractual Employee rate: 5.5-7.2%
Discretion to enhance pension entitlements ¹⁴	✓	✓	✓
Salary Sacrifice Benefits allowing NI and Tax relief (purchase of annual leave, bike, childcare, mobile phones etc)	✓	✓	✓
Other employee discounts through works perks (e.g. retail discounts etc) applies to all groups equally	✓	✓	✓

¹¹ This is covered in the Local Government (Early Termination of Employment) (Discretionary Compensation) (England and Wales) Regulations 2006 (DCR) Policy. See Appendix 6

¹² See Appendix 8 for details of the Council's Business Travel Scheme

¹³ See Appendix 9 for details of the Council's policy on Reimbursement of Expenditure

¹⁴ See Appendix 7 for the Council's policy on in relation to the exercise of discretions under the Local Government Pension Scheme

Appendix 6:

Please note, In January 2012, the Council announced that ACOS had agreed that the Discretionary Compensation Regulations (DCR) policy below, will be changed from 1.5 x the statutory calculation to the statutory calculation at the same time as the introduction of the Internal Jobs Market (IJM).

Therefore the Council has serviced notice that with effect from 1 April 2013, the DCR payments will change from 1.5 x statutory payment to statutory minimum payment only.

The new policy will apply to any employee entering into consultation from 1 April 2013 and will not affect colleagues who are already under consultation prior to this date in accordance with the existing policy operating at the time (i.e. 1.5x statutory rate).

THE LOCAL GOVERNMENT (EARLY TERMINATION OF EMPLOYMENT) (DISCRETIONARY COMPENSATION) (ENGLAND AND WALES) REGULATIONS 2006 - POLICY STATEMENT

In accordance with the requirements of Regulation 7(1) of the above Regulations, Nottingham City Council has agreed the following policy statement in respect of the discretions available under Regulations 5 and 6 of the same Regulations (the 'DCR' Regulations).

1. Regulation 5

- 1.1 For employees with two or more years' continuous service with the City Council (or with an organisation covered by the Redundancy Payments (Continuity of Employment in Local Government, etc.) (Modification) Order 1999) (the 'RPMO'), who are dismissed by reason of redundancy, compensation will be paid equivalent to the statutory redundancy payment to which they are entitled under the Employment Rights Act 1996 (ERA).
- 1.2 In calculating the amount of redundancy compensation to which an employee is entitled under this Regulation, the statutory limit¹⁵ on a week's pay as imposed by section 227 of the ERA will apply.
- 1.3 Continuous service with an organisation covered by the provisions of the RPMO will count towards the redundancy compensation calculation under this Regulation.

2. Regulation 6

- 2.1 For employees who are entitled to a statutory redundancy payment under Regulation 5, an additional discretionary compensation element will be paid equivalent to one half the amount payable under Regulation 5.
- 2.2 For an employee who is dismissed in the interests of the efficient exercise of the Council's functions, the Council shall have discretion to make a payment to the employee up to a maximum of 52 weeks' pay in circumstances where there is a demonstrable business benefit to the Council arising from the payment. Discretionary compensation payments paid in the interests of the efficient exercise of the Council's functions will not normally exceed £30,000 unless prior approval is obtained from the Appointments and Conditions of Service Committee. It is expected that discretionary payments made in the interests of the efficient exercise of the Council's functions will only be considered in exceptional circumstances.

¹⁵ With effect from 1 February 2011, the statutory limit of a week's pay is £430 per week.

2.3 Discretions under this policy shall be applied in the following manner:

- a) Payments to officers at the level of Head of Service and above¹⁶ on the grounds of redundancy (compulsory or voluntary) or in the efficient exercise of the functions of the Council shall be made at the discretion of the Appointments and Conditions of Service Committee.
- b) Payments to officers below the level of Head of Service on the grounds of voluntary redundancy or in the efficient exercise of the functions of the Council shall be made at the discretion of the Chief Executive.
- c) Payments to officers below the level of Head of Service on the grounds of compulsory redundancy shall be made at the discretion of the relevant Corporate Director.

3. Additional Membership of the Local Government Pension Scheme

- 3.1 Employees who are members of the Local Government Pension Scheme (LGPS) who receive a discretionary compensation payment under Regulation 6 of the DCR, will have the option to convert their discretionary compensation payment under Regulation 6 (in the case of redundancy, the 'discretionary compensation element'), into additional membership of the LGPS up to a maximum of ten years.
- 3.2 The decision to convert any of the discretionary compensation element into pension must be taken before the employee leaves the employment of the Council.

4. Potential employment related claims

A condition of the Council exercising its discretions under Regulations 5 and 6 will be that the employee agrees to sign a compromise agreement under the Employment Rights Act 1996, by which the employee will agree not to pursue any legal claims, including unfair dismissal claims, against the Council. Where an employee unreasonably refuses to enter into such an agreement, the employee will be entitled only to the statutory minimum compensation (if any).

5. Changes to this policy

In accordance with Regulations 7 (2) and (3), any changes to this policy and its application will not be made until one month after a statement setting out the intended changes has been published. The policy will be periodically reviewed to ensure its continued effectiveness.

¹⁶ This includes Corporate Directors and officers within the Strategic Leadership Management Group (SLMG).

POLICY IN RELATION TO THE EXERCISE OF DISCRETIONS UNDER THE LOCAL GOVERNMENT PENSION SCHEME

The City Council has produced the following policy statement as required by the Local Government Pension Scheme (LGPS).

EMPLOYER DISCRETIONS

1. Early Release of Pension Benefits

1.1 The LGPS provides for a normal retirement age of 65. Employees who are members of the LGPS may retire at age 60 and over without permission. Retirements below age 60 require permission from the City Council.

1.2 An employee who opts to retire at or after age 60 but before the normal retirement age of 65 will have their pension benefits reduced on an actuarial basis to take account of the fact that pensions will be drawn earlier and for longer. The City Council is unlikely to agree to ignore the actuarial reduction. (Note that there are protections available under the old '85 year rule' for employees who were members of the LGPS before 1 October 2006.)

1.3 Where permission to retire is required, the Chief Executive will consider requests for early retirement for staff below second tier level¹⁷ once a business case has been made that shows what possible net savings would be made taking into account the potential costs on the pension fund, the needs of the service and whether there would be operational benefits to be made that would facilitate a re-organisation.

2. Power of employing authority to increase membership

Decisions on whether to grant extra Scheme membership below second tier level will be delegated to the Chief Executive supported by a business case. Decisions to grant extra Scheme membership for first and second tier officers shall be made at the discretion of the Appointments and Conditions of Service Committee supported by a business case.

3. Power of employing authority to award additional pension

Decisions on whether to award additional pension below second tier level will be delegated to the Chief Executive supported by a business case. Decisions to award additional pension for first and second tier officers shall be made at the discretion of the Appointments and Conditions of Service Committee supported by a business case.

4. Shared Cost AVC Facility

The City Council will not consider making contributions to a shared cost AVC facility without a further report to the Appointments and Conditions of Service Committee.

5. Time Limits for Converting AVC's

Employees have 30 days to decide whether to convert in-house AVC's to a service credit within the pension fund when retiring on ill-health grounds.

7. Returning to Work Following Unpaid Leave

¹⁷ Discretionary decisions in respect of first and second tier officers can only be taken by the Appointment and Conditions of Service Committee.

Employees will have three months after returning from a period of absence to decide whether they wish to pay additional contributions for that period of absence.

9. Widowers' Pensions

The City Council considers that in the interests of fairness and equality, all female contributors will be given credit for pensionable service accrued between 1972 and 1988 and to count this towards a widower's pension.

10. Transfers in of Earlier Periods of Service - Late Applications

10.1 A request for a transfer of previous pension rights from another scheme or previous service within the LGPS or arrangement into the LGPS must be made within 12 months of joining/re-joining the scheme.

10.2 The City Council's policy is to accept transfers in applied for outside the period of 12 months, provided that, at the time the transfer is being considered, there is no cost to the Council.

11. Flexible Retirement

The City Council's Policy on Flexible Retirement is set out in the People Management Handbook.

12. Double Entitlement

The City Council will if the need arises choose the most appropriate entitlement for an employee who is leaving the Council if they had not already done so.

13. Contributions

The City Council will decide any question about what contribution rate a member is liable to pay on their first joining the Scheme, on 1 April each year, and upon each subsequent contractual pay change that affects their contribution banding.

BUSINESS TRAVEL SCHEME

1. Introduction

1.1 Travelling expenses will be paid to employees who travel on the Council's business.

1.2 The following expenses will be paid:

- public transport rate (including standard rail fare);
- mileage allowance payments (where an employee is authorised to use their own vehicle for work purposes);
- taxi fares where a suitable alternative (including public transport) is not available.

1.3 The purpose of the scheme is to compensate employees for costs they necessarily incur in the course of their duties which are in addition to any travel costs incurred by the employee for non business travel. For example, where an employee purchases a bus pass for home to work and other non business travel purposes and this pass can also be used during working hours for business journeys, no additional expenses have been incurred by the employee and therefore no reimbursement is applicable.

2. Authorised Business Travel

2.1 National Conditions of Service state that 'employees required to use their motor vehicles for the efficient performance of their duties will receive allowances for the use of their motor vehicles on business only after being so authorised by the local authority'. The local authority may determine whether the use is casual or essential and the cubic capacity of the car considered appropriate. There is no obligation on casual users to provide a car for use at work.

2.2 An employee will be authorised to use their own car for work purposes where it is required for the effective performance of their duties and where the use of public transport alternatives is not available or would add significantly to the cost of travel or travelling time.

2.3 Where employees use their own car for journeys outside the County boundary, a comparison will be made against the equivalent public transport cost and where this is lower, and it is reasonable for the employee to make the journey by public transport, it is the equivalent public transport cost only that will be reimbursed.

2.4 Public transport should be used wherever possible, where this represents better value for money.

3. Journeys to and from home

3.1 Expenses will only be paid for journeys that form part of an employee's employment duties (e.g. journeys between clients' premises or attendance at meetings). Journeys to and from an employee's normal place of work and their home are not covered. Where an employee travels to an alternative work base direct from or to home (e.g. to attend a meeting or meet with a client), only the travel that is in excess of what would normally be incurred (i.e. between the employee's home and normal place of work) may be claimed.

3.2 The following exceptions will apply:

- An employee who is at home on standby to be recalled to work will be eligible to claim for their mileage if they are called out, e.g. an engineer called out at night to attend to a breakdown.
- Where an employee is required to attend to an emergency, an official meeting or other approved official business from home outside of their normal working hours, the maximum mileage that will be reimbursed will be 20 miles per return journey.

3.3 Where an employee's place of work changes the new place of work will be regarded as their normal place of work after four weeks have elapsed.

4. Mileage Allowance Payments

4.1 Where an employee is authorised to use their own vehicle for work purposes, mileage allowance payments (MAPs) may be claimed in accordance with the rules and rates determined by the HMRC from time to time. Current rates shown in the table below.

Tax – Rates per business mile

Type of vehicle	First 10,000 miles	Above 10,000
Cars and vans	45p	25p
Motorcycles	24p	24p
Cycles	20p	20p

4.2 Mileage logs should be fully itemised showing exact mileage and a description of the business journey.

5. Car Parking Fees

5.1 Where City Council business requires the payment of car parking fees, actual expenses shall be reimbursed provided that they have been reasonably incurred.

5.2 Where the City Council business is carried out within the City boundary, prior arrangements for free parking should be made where possible; where this is impossible, City Council Car Parks only should be used.

5.3 In all claims for reimbursement of car parking expenses, supporting evidence should be provided as to the destination of the employee and the address of the car park used.

6. Receipts

6.1 For tax and audit purposes original receipts are required for reimbursement of expenses. Employees will be informed of any additional documentation required from time to time.

6.2 Employees will need to submit a VAT receipt (or receipts) with their mileage claim form. It does not matter if the employee purchases fuel for both private and business use; what

does matter is that the total on the VAT receipt/s covers the cost of fuel used for the claim. A rough calculation would be to submit VAT receipt/s of at least £10 for every 100 miles of business travel claimed.

7. Approval

All travel expenses claim forms, including mileage claim forms, must be checked and approved by the employee's manager before submitting the form for payment.

8. No Claims Bonus Scheme

8.1 The Council operates a No Claims Bonus Scheme to provide a measure of compensation for loss of bonus or payment of excess or both where private motor vehicles are used by employees in the course of their employment duties. The scheme will not give cover for journeys to and from the work base.

8.2 The Council's Insurance Section will be able to supply details of the scheme in operation from time to time.

9. Essential Users

9.1 Essential user allowances will be as determined by the National Joint Council for Local Government Services with the following revisions:

- Where cars of 1200cc and over are used, the mileage allowance payable will be at the rate set for cars of 1000cc to 1199cc
- The mileage allowance payments will not exceed the rates determined by the HMRC from time to time.

9.2 An employee may be deemed an Essential User where they are required to provide a car for work purposes and their annual mileage can expect to exceed 8541 miles per annum. Those who cannot be expected to exceed this figure will not be considered for an essential user allowance.

9.3 Essential user allowances will also be granted below the 8541 threshold where the employee works in one of a small number of occupations designated by Councillors and there is a regular need to carry service users.

9.4 Essential user car allowances will be reviewed annually to determine whether employees awarded essential user status still meet the criteria. The criteria are also subject to review and may be amended by the Council from time to time. Following review, if an employee no longer meets the criteria to be considered for an essential user allowance, they will receive notice of the change of their status (in accordance with the schedule below) and the allowance will cease to be paid once the applicable notice period has expired.

Financial Year

2010/11	4 months' notice
2011/12	2 months' notice
2012/13	1 month's notice

9.5 Following review, employees no longer meeting the criteria will receive reimbursement for authorised business travel in accordance with the rates applicable for non-essential users outlined in this Scheme.

9.6 Essential Users are eligible to apply for a loan to purchase a car in accordance with the Council's Assisted Car Purchase Scheme . The Council's Insurance Section will be able to supply details of the scheme in operation from time to time.

10. Disabled Employees

Disabled employees who are unable to drive are allowed to use approved taxis for journeys which would otherwise qualify for a mileage allowance payment.

11. SLMG employees

Travel expenses will be paid in accordance with this scheme for authorised travel outside of the County boundary only.

REIMBURSEMENT OF EXPENDITURE

1. Colleagues necessarily incurring additional expense in the course of their work in respect of travel, meals or overnight accommodation will be reimbursed approved expenses, subject to receipts being produced. (In exceptional circumstances small sums may be reimbursed without receipts provided there is other evidence of the expenditure and the colleague can explain why it was not possible to obtain a receipt.)
2. Claim forms are available from departmental HR officers. These must be completed and signed by the colleague and then approved by their manager.
3. The fraudulent submission of claims for reimbursement of expenditure will be treated as gross misconduct.
4. In exceptional circumstances advance payments in respect of reimbursement of expenditure can be authorised. In such cases receipts for the expenditure incurred will be submitted within seven days of the colleague's return to work. If receipts are not submitted within the seven day period, or if the advance payment exceeded the total justified by the receipts, the advance (or the excess) will be recovered from the colleague's pay at his/her next pay day.
5. It is the settled policy of the Council that expenses payable to colleagues should not exceed those available to councillors (see below).
6. Guidance on the reimbursement of expenses linked to training (other than in respect of meals, travel and accommodation) is set out in the section of this handbook dealing with training and development.
7. The allowances set out below are the maximum amount which can be claimed in respect of any expenditure. Amounts claimed will still have to be justified and approved as set out above. A receipt must be obtained and the expenditure must be necessary and additional to the colleague's ordinary expenditure on a meal at the relevant time. (A deduction of £1.00 for breakfast and lunch and £2.00 for an evening meal should be made from all claims in respect of a meal taken at that time and the national agreement only allows for the reimbursement for additional costs).
8. The amounts will be updated periodically in line with the provisions for councillors.

Breakfast (before 11.Am)	Maximum £5.00 Vat Inc
Lunch (12noon - 2pm)	Maximum £5.00 Vat Inc
Evening Meal (After 5pm)	Maximum £10.00 Vat Inc

Over night Accommodation

9. Where possible, the cost of overnight accommodation should be contained with the following limits:

Maximum for overnight accommodation outside Central London	£ 79.82 Vat Inc
Maximum in Central London	£91.04 Vat Inc

If accommodation is not available within these limits then the actual cost will be met provided it is reasonable. Where attendance at a conference or similar event necessitates an overnight stay, accommodation at the conference hotel or a hotel of an equivalent standard will be arranged and paid for by the Council. For meals taken in connection with the event, the reasonable actual cost will be reimbursed, or paid in accordance with the subsistence rates set out above, subject to production of a receipt to the colleague's manager.