

Joint Negotiating Committee (Employers Side)

Monday, 22 February 2016

10:00

Room 2 (Civic Offices)

Councillor Andrew BUCKLEY Councillor Martin GOWANS Councillor Jeannette GREEN Councillor Robert MIDDLETON

If you have any enquires about this agenda please contact:

Clerk Name: Tina Milner

Clerk Telephone: 01908 254737

Clerk Email: tina.milner@milton-keynes.gov.uk

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A G E N D A

- 1 **Chairman's Welcome**

- 2 **Apologies**

- 3 **Minutes of previous meeting - 7 December 2015** 5 - 6
 To approve, and the Chair to sign as a correct record, the Minutes of the meeting of the Employer's Side of the Joint Negotiating Committee held on 7 December 2015

- 4 **Disclosures of Interest**
 Councillors to declare any disclosable pecuniary interests, or personal interests (including other pecuniary interests) they may have in the business to be transacted, and officers to declare any interests they may have in any contract to be considered.

- 5 **Pay Policy Statement 2016-2017** 7 - 16
 The Council is required to adopt and publish its Policy Statement in accordance with Section 38(1) of the Localism Act 2011. The Committee is asked to review the attached Pay Policy Statement and comparator information, with a view to recommending it to Council for adoption at its meeting on 23 March 2016.

- 6 **Matters Arising from Joint Negotiating Committee Meeting 22 February 2016**
 To consider and ratify any decisions arising from the Joint Negotiating Committee Meeting on 22 February 2016, with regard to:
 (a) Increase in Living Wage; and
 (b) Pay Protection.

Minutes of the meeting of the EMPLOYER'S SIDE of the JOINT NEGOTIATING COMMITTEE held on MONDAY 7 DECEMBER 2015 at 10.40 am

Present: Councillors Betteley, Buckley, Eastman, Gowans, Green, Middleton and Morris.

Officers: N Jones (Service Director [Finance & Resources]), A Greaves (Interim Human Resources Service Delivery Manager), C Stanton (Pay & Reward Manager) and T Milner (Committee Manager).

JNCE11 ELECTION OF CHAIR

RESOLVED -

That Councillor Middleton (Cabinet member for Resources and Commercialism), was elected as Chair of the Committee for the remainder of the Council Year 2015/16.

JNCE12 MINUTES OF PREVIOUS MEETING

That the Minutes of the meetings of the Employer's Side of the Joint Negotiating Committee held on 21 September 2015 and on 5 October 2015 be approved and signed by the Chair as correct records.

JNCE13 DISCLOSURES OF INTEREST

Councillor Gowans disclosed a personal interest as a Branch Officer and a member of the UNISON Trade Union.

JNCE14 ISSUES ARISING FROM THE JOINT NEGOTIATING COMMITTEE – 7 DECEMBER 2015

The Committee considered ratifying the decisions reached at JNC.

RESOLVED –

That the following reports and oral updates of the JNC be noted:

- (a) Incremental progression
- (b) Reducing the People Costs of Services - Update

JNCE15 DATE OF NEXT MEETING

The Committee noted that the date of the next Briefing meeting for Councillors was Monday 29 February 2016 at 10.00am, and the next scheduled meeting of the JNC(E) was to be held on Monday 14 March 2016 at 10.00 a.m., following the conclusion of the JNC.

The Committee also noted that an additional meeting would be required in January 2016 prior to the next scheduled meeting of the JNC(E) on 14 March 2016.

THE CHAIR CLOSED THE MEETING AT 10.52 AM

Pay Policy Statement – Financial year 2016/17

1 Purpose

- 1.1 This policy statement is provided in accordance with Section 38(1) of the Localism Act 2011 and will be updated annually from April each year.
- 1.2 This pay policy statement sets out Milton Keynes Council's (MKC's) policies relating to the pay of its non-schools workforce for the financial year 2015/16, in particular:
- a) The remuneration of its Chief Officers
 - b) The remuneration of its "lowest paid employees"
 - c) The relationship between
 - i. The remuneration of its Chief Officers and
 - ii. The remuneration of its employees who are not Chief Officers

The pay ratios in respect of these are given at Annex A.

2 Definitions: For the purpose of this pay policy the following definitions will apply:

- 2.1 **"Pay"** in addition to salary includes charges, fees, allowances, benefits in kind, increases in/enhancements to pension entitlements, and termination payments. It does not include any employer pension or NI contributions.
- 2.2 **"Chief Officer"** refers to the following roles with MKC:
- a) Chief Executive, as Head of Paid Service*
 - b) Corporate Director for People*, Corporate Director for Place*, Corporate Director for Resources and Commercial Development*, the Director of Public Health, and the Service Director for Law and Governance* as the Council's statutory Chief Officers.
 - c) Strategic Director*, Service Directors and Assistant Directors as non-statutory Chief Officers if they report directly or are directly accountable to a statutory or non-statutory Chief Officer in respect of all or most of their duties.

With the exception of the Chief Executive and the Director of Public Health, these roles are subject to Chief Officer terms and conditions of service and national pay bargaining.

* Core members of the Council's Corporate Leadership Team (CLT).

2.3 **“Lowest paid employees”** refers to those staff employed within grade A of the Council’s pay framework. This excludes staff governed by national consultation groups. This definition of the “lowest paid employees” has been adopted because grade A is the lowest grade on the Council’s pay framework.

2.3.1 MKC has a separate pay structure for apprentice roles.

2.4 **“Employees who are not a Chief Officer”** refers to all staff who are not covered under the Chief Officer group above. This includes the lowest paid employees i.e. staff on grade A. These staff are on NJC (single status) terms and conditions of service. This group excludes staff governed by the following national consultation groups:

- Joint Negotiating Committee for Coroners
- National Employers’ Organisation for School Teachers (NEOST)
- The Soulbury Committee
- Joint Negotiating Committee for Youth and Community Workers

3 **Pay framework and remuneration levels**

3.1 **General approach:** Remuneration at all levels needs to be adequate to secure and retain high-quality employees dedicated to fulfilling MKC’s business objectives and delivering services to the public. This has to be balanced by ensuring remuneration is not, nor is seen to be, unnecessarily excessive. Each council has responsibility for balancing these factors and each council faces its own unique challenges and opportunities in doing so and retains flexibility to cope with various circumstances that may arise that might necessitate the use of market supplements or other such mechanisms for individual categories or posts where appropriate. MKC’s pay is set above the Living Wage.

3.2 **Responsibility for decision on remuneration:** It is essential for good governance that decisions on pay and reward packages for chief executives and chief officers are made in an open and accountable way and that there is a verified and accountable process for recommending the levels of top salaries.

3.2.1 With the exception of any groups where pay is governed by national consultation groups or who have transferred to the Council under TUPE legislation, pay for Chief Officers, the lowest paid employees and all other employees who are not Chief Officers is determined by the Employer’s Side of the Joint Negotiating Committee [JNC(E)]. The JNC(E) comprises councillors from the main political parties and has the responsibility for local terms and conditions of employment for staff within MKC’s pay framework.

3.2.2 The current pay framework in respect of Chief Officers was agreed by the JNC on 27 October 2014 and is subject to national pay bargaining.

3.2.3 The current pay framework in respect of Employees who are not a Chief Officer was implemented from 1 April 2015 and is subject to national pay bargaining.

3.2.4 Where staff have transferred to MKC's employ with pay protected under TUPE legislation, MKC will seek to harmonise pay, terms and conditions of service where this is appropriate.

3.3 Salary grades and grading framework

3.3.1 Grades are determined in line with national guidance, with the grade for each role being determined by a process of job evaluation. This ensures that there is a fair and consistent practice for different groups of workers with the same employer.

3.3.2 As part of this MKC determined a local pay framework and the overall number of grades is 19.

a) There are four grades in the pay framework for Chief Officer roles. The allocation of these grades is determined using the Hay Job Evaluation Scheme:

- i. Chief Executive being the highest,
- ii. Corporate Director comprising 1 pay band,
- iii. Service Director consisting of 2 pay bands.

Each Chief Officer is on a spot salary within each pay band. There is no salary progression. Pay levels are reviewed at least every 3 years to ensure they remain at an appropriate level (the baseline year was 2014).

b) There are 15 grades in the pay framework for employees who are not a Chief Officer. The allocation of these grades is determined using a job evaluation scheme: grade A being the lowest and grade O being the highest. Employees can progress to the salary maximum of their grade subject to key objectives being met to an acceptable level and there being no current performance issues.

3.3.3 Pay awards are awarded for all staff in line with the outcome of national pay bargaining for each group of staff. MKC is a Living Wage employer and as such, will ensure that its lowest pay rate is above the Living Wage.

4 Remuneration – level and element

4.1 Salaries: Chief Officers

4.1.1 The salary of the Chief Executive and the salary bands for all Chief Officers are published on the council's website alongside those of other officers earning more than £50,000 at [Pay information \(Annex C\)](#).

- 4.1.2 For Chief Officers at all levels, salary on appointment has regard to the relative size and challenge of the role compared to other Chief Officer roles within MKC (via the job evaluation process). Account is also taken of other relevant available information, including the salaries of Chief Officers of other similar sized organisations. The salary is set by the Appointment Panel for the specific role (this panel comprises councillors from the main political parties).
- 4.1.3 Where salary packages are in excess of £100,000 (including any fees, allowances, benefit in kind etc but excluding employer's pension and NI contributions) the decision in respect of salary will remain with the Appointment Panel. All appointments, including detail of the salary package, will be reported to full Council. Salaries currently falling within this range are those at Chief Executive, Corporate Director and Director level.
- 4.2 **Salaries: Employees who are not Chief Officers:** Employees new to the council (including "lowest paid employees") will normally be appointed to the first point of the salary range for their grade. Where the candidate's current employment package would make the first point of the salary range unattractive (and this can be demonstrated by the applicant in relation to current earnings) or where the employee already operates at a level commensurate with a higher salary, a higher salary may be considered by the recruiting manager. This will be within the salary range for the grade. The candidates' level of skill and experience should be consistent with that of other employees in a similar position on the salary range.
- 4.3 **Salaries: Lowest paid employee:** Each lowest paid employee is paid within the salary range for grade A.
- 4.4 **Bonus:** There is no provision for bonus payments for Chief Officers, or for employees who are not Chief Officers, or for the "lowest paid employees".
- 4.5 **Market supplements:** It is important that MKC is able to attract and retain staff at all levels of the organisation in an increasingly competitive job market. Where market forces suggest such a supplement is needed the council will apply its market supplement policy. MKC's policy in respect of this can be found at: [Pay information](#). Any such supplement is made clear in the contract of employment and is subject to review, with appropriate adjustments made.
- 4.6 **Honoraria/Temporary responsibility payments:** There is provision at all levels within MKC for an Honoraria or Temporary Responsibility Payment to be made to staff that have completed the duties of a higher graded post, provided they meet with the criteria for this scheme set out at [Pay information](#).
- 4.7 Other pay elements
- 4.7.1 The overall remuneration, including claimed expenses and employer's pension contribution, for Chief Officer" who are core members of the Corporate Leadership Team is published in **MKC's Statement of Accounts**.

- 4.7.2 “Chief Officers are subject to performance management processes in the same way that employees who are not Chief Officers and lowest paid employees are.
- 4.7.3 The Chief Executive’s objectives are set each year by the three political Group Leaders. The Chief Executive is appraised against those objectives by a Panel comprising the three Group Leaders. There is no financial recognition linked to this appraisal process.
- 4.7.4 The Corporate Directors are appraised by the Chief Executive as their line manager. The Chief Executive seeks feedback to inform that appraisal from the relevant Portfolio Holder(s) and (where relevant – ie: in a NOC situation) the relevant opposition spokesperson(s). There is no financial recognition linked to this appraisal process.
- 4.7.5 Other Chief Officers are treated in accordance with the arrangements applied for lowest paid employees and all other employees who are not Chief Officers. Full details of the appraisal system can be found on the internet at [Pay information](#).
- 4.8 **Charges, fees or allowances:** Any allowance or other payment will only be made to staff in connection with their role or the patterns of hours they work and must be in accordance with MKC’s collective agreement in relation to Terms and Conditions of Service.
- 4.9 **Election fees and duties:** These are paid as a separate employment to the Council’s Returning Officer.
- 4.10 **Benefits in kind:** There are no benefits in kind given by MKC. Any gift or conflict of interest must be registered in accordance with MKC’s Code of Conduct.

Pension: All employees as a result of their employment are eligible to join the Local Government Pension Scheme. MKC’s discretions within this scheme are set out in the Pension Discretions policy at [Pay information](#).

4.11 **Severance payments**

- 4.11.1 MKC is already required to publish its policy on discretionary payments on early termination of employment as well as publishing its policy on increasing an employee’s total pension scheme membership and on awarding additional pension. This policy applies to all employees of the council. These can be found within MKC’s Redeployment and Redundancy Policy at [Pay information](#)
- 4.11.2 It is important that MKC has flexibility to respond to unforeseen circumstances as regards re-employing former employees as a Chief Officer. If it re-employs a previous employee who received a redundancy or severance package on leaving, or if that person returns on a ‘contract for services’ or if they are in receipt of a Local Government / Firefighter Pension scheme (with the same or another local authority), then the provisions of the Local Government Pension Scheme and the Redundancy Modifications Order will be applied.

4.11.3 The Redundancy Modifications Order provides that:

- a) If MKC, or another public authority to which the Redundancy Payments Modification Order (Local Government) 1999 (as amended) applies, makes an offer of another job that will commence within four weeks of the termination of a contract, the officer will not be entitled to a redundancy payment.
- b) Any offer of voluntary redundancy is made on the understanding that if another public authority to which The Redundancy Payments (Continuity of Employment in Local Government, etc) (Modification) Order 1999 applies, makes an offer of a job before the termination of employment which will be taken up within four weeks of the termination of employment with MKC, there shall be no entitlement to a redundancy payment.

Background Papers:

Pay Ratio's and Pay Policy Benchmarking
(Annexes A and B)

Link to Pay Information [Pay information](#) (Annex C)

PAY RATIOS:

1. Relationship between remuneration of Chief Officers and employees who are not Chief Officers

These calculations are based on salary data as at 31st December 2015.

Mean average earnings ratio = 6.34 : 1

- (a) Total salaries £61,065,868 ÷ 2,514 (headcount) = £24,290
- (b) Highest paid employee (Chief Executive): £154,000 per annum

Median average earnings ratio = 6.71 : 1 based on FTE salary

Median salary is based on the full time equivalent (FTE) salary of each employee to reflect the value of the role. This is £22,937.

This ratio is below the expected multiples of 8.1-12.1 for the public sector as identified in the Hutton Review of Fair Pay in the Public Sector (March 2011) Report.

2. Relationship between remuneration of Chief Officers and lowest paid employees Note: This calculation is based on expected salary levels at 1 April 2016. It includes the final pay offer and increased Living Wage Foundation rate.

- (a) Ratio = 9.5 : 1
- (b) Lowest paid employee: £16,191
- (c) Highest paid employee (Chief Executive): £154,000 per annum

The above ratios will be monitored and measured against those in similar organisations.

Pay Policy Ratio Benchmark Information
taken from published Pay Policies for 2015/16

	Highest Paid Salary	Lowest Paid Salary	Highest to Lowest Salary Ratio	Median Average Salary	Average Earnings Ratio	
					Mean	Median
Milton Keynes Council 2015	£154,000	£15,207	10 : 1	£22,792	5.7 : 1	6.75 : 1
Milton Keynes Council 2016	£154,000	£16,191	9.5 : 1	£22,937	6.34 : 1	6.71 : 1
Bedford Borough Council	£170,000	£13,500	12.6 : 1		6 : 1	5 : 1
Bracknell Forest	£156,600	£14,758	10.6 : 1		5.9 : 1	6.7 : 1
Buckinghamshire County Council	£219,000	£13,855	15.8 : 1			8 : 1
Central Bedfordshire Council	£186,200	£13,614	13.7 : 1		6.8 : 1	7.3 : 1
Luton Borough Council	£170,000		11.5 : 1			8.1 : 1
Northampton Borough Council	£138,300	£13,321	10.4 : 1	£25,727	5.1 : 1	5.4 : 1
Reading Borough Council	£135,000	£15,207	9 : 1	£23,945		5.6 : 1
Swindon	£161,003	£13,709	11.7 : 1	£22,920	6.1 : 1	7 : 1
Thurrock	£170,000	£15,149	11.2 : 1		7.23 : 1	7.85 : 1

