



Brent

**Appendix P
BRENT COUNCIL PAY POLICY
STATEMENT**

Financial Year 2022/23

April 2022

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BRENT COUNCIL PAY POLICY STATEMENT

Financial Year 2021/22

Purpose

The council's pay policy outlines Brent's policy on pay and benefits for all employees (excluding schools) and has been developed to meet the relevant statutory provisions of the Localism Act 2011.

The pay policy will be reviewed on an annual basis and will be approved by Full Council in advance of each new financial year.

The pay policy statement can be amended during the course of any financial year, but only by a resolution of the Full Council. The revised version of the statement will be published as soon as reasonably practicable.

Strategic Context

The current and future pay and benefit arrangements are embodied in the council's Workforce Strategy which reflects the Borough Plan priorities. The council's Borough Plan provides the strategic framework for the council's workforce and people priorities.

The overarching objective for the Workforce Strategy is to have the right people, with the right skills, attitudes and experience, in the right place at the right time to enable the organisation to deliver on its strategic priorities and corporate objectives.

Key strategic aims of the Workforce Strategy are:

- Achieving organisational effectiveness and strong performance management.
- Recruiting, retaining and rewarding a diverse, highly skilled and motivated workforce.
- Valuing diversity and reducing inequalities.
- Developing high performing managers and talented staff.
- Building the professionalism and skills of the workforce to support projects aligned to the council's strategic priorities and the delivery of high quality services.

The council is committed to being a good employer and maintaining its excellent track record in employing a diverse workforce which reflects the local community. In order to recruit and retain a high quality workforce, the council will pay its staff at appropriate salary levels to attract and retain staff, throughout the council, particularly those in hard to recruit roles.

Employee Benefits

The council's pay arrangements and terms and conditions play a key role in enabling the council to fully realise its objectives and ensuring the workforce is 'fit for purpose'. The council is committed to fair and equitable pay and benefits arrangements to maintain a flexible, talented and performance focused workforce. The council published its Gender Pay Gap Report on 15 March 2021. This revealed that the overall mean gender pay gap based on data taken from the HR databases on 31 March 2020 was 5.7% and the median gender pay gap was 6.8%.

All the council's pay arrangements are contained within a single policy document.

Pay Rates and Scales

Pay scales are reviewed annually in line with the relevant national agreements and any changes are usually effective from 1 April or 1 September each year depending on the pay scales applicable to different groups of staff.

The following pay scales have been adopted by the council:

- Greater London Provincial Council (GLPC) London Pay Scales (main pay scales)
- Senior Manager Pay Scales (senior managers including Chief Officers)
- Soulbury Pay Scales (Education Psychologists, Advisors and Inspectors)
- Soulbury Pay Scales (Youth and Community Service, Young People and Community Service Managers)
- Teaching Pay Scales (for centrally employed local authority teachers)

Remuneration of Senior Management (Chief Officers)

The council defines its senior management as the top 3 tiers in the management structure. This includes all statutory and non-statutory Chief Officers and Deputy Chief Officer roles. It comprises the Chief Executive, Strategic Directors and Operational Directors.

Currently the pay, expenses and key benefits for the Council Management Team are published on the council's website. The Council Management Team comprises the Chief Executive and the Strategic Directors, together with the Director of Finance and the Director of Legal, HR & Audit and Investigations.

The rates of pay of the Chief Executive and Strategic Directors and other Senior Managers are in accordance with the council's senior manager pay scales agreed from time to time by the General Purposes Committee.

The council may, from time to time, engage senior managers under contracts for services. The council generally will aim to pay such individuals at a rate consistent with the pay of directly employed staff performing a comparable role, although there may be exceptional circumstances which support a higher pay rate for a short term period to ensure continuity of service and meet any statutory obligations.

Remuneration of Lowest Paid Employees

The council defines its lowest paid employees as those staff paid on the lowest established grade and scale point which in Brent is Scale 1 spinal column point 1 of the Greater London Provincial Council (GLPC) Pay Scales which is currently £20,658 per annum or the pay of its lowest paid employee where they are on a higher salary which is currently £22,185.

London Living Wage

The council has implemented the London Living Wage. All staff are paid at or above the London Living Wage. Level 2 and 3 Apprentices are paid at the highest National Living Wage rate and Level 4 and above Apprentices are paid at or above the London Living Wage. The Council is an accredited London Living Wage Employer and asks its contractors supplying services to the Council to pay their staff the London Living Wage. As contractors are employers in their own right, the council cannot force contractors to pay the London Living Wage but has built into its procurement procedures a requirement to do so in relation to council contracts where possible. The Council also encourages schools to pay the London Living Wage.

Pay Multiple

The 'pay multiple' is the ratio between the highest paid salary and the lowest/median average salary of the council's workforce. The council's highest paid employee is the Chief Executive. The current median salary is £36,708.

The lowest pay multiple is 1:9.4; the median pay multiple is 1:5.7.

This is within what is regarded as good practice for the median salary multiple as described by Will Hutton in his 2011 Fair Pay Review in the Public Sector which identified multiples at or around 8.00. The council has not set a target for a maximum multiple. The lowest pay multiple has decreased from 1:10:6 in 2016/2017.

Job Grading

Single Status was introduced in 2009 for staff on the main pay scales. Single Status introduced common job evaluation schemes and pay scales for the council's former manual workers, administrative, professional, technical and clerical employees with the exception of education psychologists, nursery nurses, youth and community workers, chief officers and the chief executive.

Some of the staff who transferred to the council from Brent Housing Partnership in 2017 have yet to move over to Single Status.

Senior managers including chief officers have locally determined rates of pay agreed by the General Purposes Committee which are linked to national negotiations for the determination of pay awards. A revised pay and grading structure for senior managers was introduced on 1 April 2013. The aim of the review was to reduce costs whilst ensuring the council's pay arrangements remained competitive. Changes to the pay and grading structure may be agreed by the General Purposes Committee from time to time following any further review.

Also in 2013, the council rationalised the terms and conditions for senior managers. Those senior management posts which fall within the Joint National Committee (JNC) Chief Officer definition are employed on JNC terms and conditions and all other senior managers are employed on National Joint Committee (NJC) for Local Government Services terms and conditions with some local variations. The senior management posts which fall within the JNC definition are predominately the strategic directors and other directors with statutory responsibilities e.g. Section 151 officer. This means that the majority of senior managers have terms and conditions which are largely consistent with those for other staff. A number of changes were also made to the JNC for Chief Officer terms and conditions to align them more with the terms and conditions for all other staff.

Local Conventions for the GLPC Job Evaluation Scheme

Virtually all local authorities and organisations that use the GLPC Scheme have local conventions in place. A convention is the term given to the local interpretation of the wording of a job evaluation scheme, which are usually written down. Without local conventions, evaluators may interpret the scheme's factor level definitions differently.

This exposes the authority to the potential risk of inconsistency and can lead to inaccurate gradings.

The council in March 2013 introduced local conventions to ensure that the scheme is applied consistently and fairly to all employees. These have been reviewed and amended in accordance with refreshed guidance notes on the job evaluation scheme issued by the GLPC in 2016.

Pay on Appointment

All employees are normally appointed on the lowest pay spinal column point for their job evaluated grade. Employees may be appointed at a higher point, where they are currently earning more than the lowest pay spine for the role and/or where it is considered that they already possess the skills and experience needed to justify a higher salary within the grade. Appointment at a higher point on the salary scale has to be authorised by the service Operational Director and the Head of HR or operational director responsible for HR.

The council delegates authority to the Senior Staff Appointments Sub-Committee to make appointments to the council of all officers at Operational Director level and above, with the exception of the Chief Executive, in which case a recommendation to appoint is made to Full Council for its final decision to confirm the appointment or not. The starting salary for new appointments to these posts is agreed by the body making the appointment. The starting salary for any other post where the overall remuneration package on new appointment (excluding pension contributions in accordance with the Local Government Pension Scheme regulations) is to exceed £100,000 will normally be agreed by full council or a committee of the council unless the Chief Executive agrees otherwise.

Annual Pay Progression

Brent's pay policy is primarily based on evaluated pay grades, each having a salary range comprising a number of incremental points. Other pay grades are nationally prescribed and also have incremental progression arrangements. Most employees incrementally progress through the pay grade for their job. Progression will normally be one increment (pay spine column point) on the 1st of April each year until the top of the grade is reached for those on the main pay scales. Separate arrangements

apply during the first year of service where the start date is between 1 October and 31 March and on the anniversary of joining for those on senior manager pay scales.

Pay progression takes place on an annual basis and can be withheld if there is a disciplinary sanction or where performance is currently being addressed.

Performance Related Pay and Bonuses

Council employees including the Chief Executive and directors do not receive performance related payments or bonuses.

National / Regional Pay Agreements

The council operates the national (JNC/NJC) and regional (GLPC) collective bargaining arrangements for pay and conditions of service for all employees, including senior managers. Pay is increased in line with national and regional pay agreements.

Details of the national pay award for 2021/22 are not yet known. All proposals received from the trade unions will be considered in the context of the public sector pay freeze announced by the Chancellor in the in the 2020 Spending Review.

Market Supplements

The council re-introduced a market supplement policy in 2018 and the General Purposes Committee has agreed recruitment and retention allowances for some social work staff. Individual service areas do not have discretion to apply market supplements or other recruitment and retention payments and there is a governance structure in place to agree any new supplements based on a sound business case.

Fees for Election Duties

Election fees paid to employees (including chief officers) who assist in elections are in line with the rates agreed by the Government whenever general, regional or European elections occur. Where local elections occur fees will be determined using the cross-London agreed rates.

Pensions

All non-teaching employees are able to join the Local Government Pension Scheme (LGPS). Teachers are able to join the Teachers' Pension Scheme. Benefits for both schemes are paid in accordance with government regulations. National Health Service employees who transferred to the council under TUPE have access to the NHS Pension Scheme under special provisions agreed as part of the transfer into

local government. Employees joining Public Health after the transfer are employed on Council terms and conditions and do have access to the LGPS.

Payments on Termination of Employment

In the event that the council terminates the employment of an employee on the grounds of redundancy the terms of the council's redundancy and early retirement arrangements will apply. Termination payments are also subject to any caps or repayment requirements introduced by government legislation. It is anticipated that regulations on capping payments and repayment of severance will be introduced although the timescale is unclear. Where practicable, and unless the Chief Executive agrees otherwise, termination payments which exceed £100k will normally be agreed by full council or a committee of the council.

Re-employment of Employees

Section 7 of the Local Government and Housing Act 1989 requires that every appointment to paid office or employment in a local authority shall be made on merit.

The re-engagement of employees including chief officers who are made redundant is subject to the council's re-engagement arrangements (contained within the council's Managing Change Policy). The policy sets out the minimum period a former employee must wait before being eligible to work for the council again, as well as outlining other restrictions.

Employees who are made redundant may not be re-engaged within twelve months of their termination of employment for reasons of redundancy. After twelve months the employee may be re-engaged via the normal recruitment procedures either to carry out similar work or a different job. Re-engagement is subject to the approval of the relevant Operational Director and Director of Legal, HR and Audit & Investigations.

Tax avoidance

All permanent Brent staff including senior managers are paid through payroll which means that all taxes are deducted at source. A review of temporary staff is regularly conducted and it is Brent's policy to cover vacancies through the use of approved agency workers or by appointing staff on fixed term contracts. Temporary workers providing services through their own companies will be carrying out projects and generally not covering permanent roles other than in exceptional circumstances e.g. where interim cover is essential whilst a permanent appointment is recruited. Where these situations do occur they will be limited in duration, usually to less than 6 months.

The council's approach to dealing with Her Majesty's Revenue and Customs' (HMRC) changes to regulations for provision of personal services from April 2017 and further

changes to off-payroll working introduced in April 2021, is to use the HMRC online assessment tool to determine the employment status of individuals for income tax purposes. Most agency workers, consultants and interims are required to pay tax on a PAYE basis, like council employees.

Publication and access to information

Brent's annual Pay Policy Statement will be published on the website where it can be easily accessed. Information about chief officers' remuneration is published on the council's website www.brent.gov.uk in the section Senior Managers' pay.