

AGENDA

MEMBER AND EMPLOYMENT AND DEVELOPMENT PANEL MEETING



Date: Wednesday 21 January 2015

Time: 3.00 pm

Venue: Town Hall, Maidstone

Membership:

Councillors Mrs Blackmore, Burton, Chittenden,
Cox (Vice-Chairman), Daley, Greer,
Mrs Joy, McKay, McLoughlin
(Chairman), D Mortimer, Round and
Mrs Wilson

Page No.

1. Apologies for Absence
2. Notification of Substitute Members
3. Notification of Visiting Members
4. Disclosures by Members and Officers
5. Disclosures of Lobbying

Continued Over/:

Issued on 13 January 2015

The reports included in Part I of this agenda can be made available in **alternative formats**. For further information about this service, or to arrange for special facilities to be provided at the meeting, **please contact CAROLINE MATTHEWS on 01622 602242**. To find out more about the work of the Committee, please visit www.maidstone.gov.uk

Alison Broom

**Alison Broom, Chief Executive, Maidstone Borough Council,
Maidstone House, King Street, Maidstone, Kent ME15 6JQ**

6. To consider whether any items should be taken in private because of the possible disclosure of exempt information.
7. Minutes of the Meeting Held on 7 August 2014 1 - 4
8. Report of the Head of Policy and Communications - Appointment of Sub-Committees 5 - 11
9. Report of the Chief Executive - Pay Policy Statement 12 - 42

NOTICE IS GIVEN IN ACCORDANCE WITH SECTION 17 OF THE LOCAL GOVERNMENT AND HOUSING ACT 1989 THAT ALTERNATIVE ARRANGEMENTS FOR APPOINTMENTS TO COMMITTEES OUTSIDE THE USUAL POLITICAL BALANCE REQUIREMENTS MAY BE CONSIDERED IN RELATION TO AGENDA ITEM 8.

MAIDSTONE BOROUGH COUNCIL

MEMBER AND EMPLOYMENT AND DEVELOPMENT PANEL

MINUTES OF THE MEETING HELD ON

THURSDAY 7 AUGUST 2014

Present: Councillor McLoughlin (Chairman), and
Councillors Mrs Blackmore, Burton, Daley, Greer,
Mrs Joy, McKay, Munford, Round, Sargeant and
Mrs Wilson

17. **APOLOGIES FOR ABSENCE**

There were no apologies for absence.

18. **URGENT ITEMS**

The Chairman stated that, in his opinion, the Report of the Chief Executive relating to Pension Discretion Policy – Update should be taken as an urgent item as it was implicit that the amended Pension Discretion Policy be submitted as soon as possible and that the feedback from Kent County Council (KCC) had only recently been received.

19. **NOTIFICATION OF SUBSTITUTE MEMBERS**

There were no Substitute Members.

20. **NOTIFICATION OF VISITING MEMBERS**

There were no Visiting Members.

21. **DISCLOSURES BY MEMBERS AND OFFICERS**

Councillor Daley disclosed an interest in Agenda Item 9 – Pension Discretion Policy – Update as he was the Vice-Chairman on Kent County Council’s Superannuation Fund Committee.

22. **DISCLOSURES OF LOBBYING**

There were no disclosures of lobbying.

23. **EXEMPT ITEMS**

RESOLVED: That the items on the agenda be taken in public as proposed.

24. MINUTES OF THE MEETING HELD ON 9 JULY 2014

RESOLVED: That the minutes of the meeting held on 9 July 2014 be approved as a correct record and signed subject to the decision contained in paragraph (c) of minute 15 which was amended to 'that reference be made in the staff policies to the flexibility of compassionate leave entitlement'.

25. REPORT OF THE CHIEF EXECUTIVE - PROPOSED CHANGES TO STAFF TERMS AND CONDITIONS

At its last meeting on 9th July 2014 the Panel requested that consideration of reducing annual leave entitlements for new employees and the removal of unsocial hours allowances be deferred pending a full Equality Impact Assessment. The Head of HR Shared Services advised the Panel that this had been undertaken and was set out at Appendix B to the report.

Responding to concerns from some Members that the reduction in annual leave entitlement would not be helpful in the retention of existing staff, the Head of HR Shared Services stated that the intention was not about downgrading the terms and conditions but an attempt to align the Council's terms and conditions to those 140 members of staff who worked within shared services. It had already caused some difficulties and this would make it easier for the staff concerned.

Members were of the view that existing staff should not be penalised under the new scheme and if they were promoted within the Council then they should remain on the existing annual leave scheme.

Members also agreed that the leave entitlement should be reduced to 30 days instead of 32 for new members of staff recruited on grades 14-16, only increasing to 32 days after five years' service.

In addition, Members felt that those staff who had completed 25 years of service should be entitled to an additional day's holiday in recognition of their loyalty to the Council, this is consistent with the council's existing arrangements.

Members enquired if there was a mechanism for the carry over of annual leave entitlement. The Head of HR Shared Services explained that this was granted in exceptional circumstances (up to a maximum of 5 days) by the Director/Chief Executive. Responding to an enquiry from a Member who asked if the Head of HR Shared Services could guarantee that requests were always granted, Dena Smart advised that in the 8 years she had been at the Council she had not known of any occasions where it had not been granted.

In responding to the issue of removing the unsocial hours allowance, concern was expressed by Members about the unsocial hours that the Civic Officers worked and due to the fact that one Civic Officer had left already, in terms of retention, it was important that the grade properly reflected the duties carried out. It was agreed that the post should be re-

evaluated as soon as possible.

During discussions it was noted that a quarterly Workforce Monitoring Report was produced by HR and Members felt it would be beneficial for this to be sent to them for information.

RESOLVED:

- (a) That the annual leave entitlements be reduced for new employees in line with the level negotiated with the trade unions;
- (b) That existing staff would remain on their current annual leave scheme if they were promoted through the grades;
- (c) That the initial leave entitlement under the new scheme be reduced from 32 to 30 for new staff being recruited on grades 14-16;
- (d) That when an employee reaches 25 years service, they be given an additional day's holiday in recognition of their loyalty and commitment;
- (e) That the Civic Officers posts be re-evaluated by the HAY Evaluation Panel at the beginning of September and the results be fed back to Members of this Panel;
- (f) That the Head of HR Shared Services circulate, on a quarterly basis, a copy of the Workforce Monitoring Report to this Panel; and
- (g) That the unsocial hours allowances are removed from the Council's allowances subject to the exceptions set out in the report to the Panel on 9th July 2014.

26. REPORT OF THE CHIEF EXECUTIVE - PENSION DISCRETION POLICY - UPDATE

The Head of HR Shared Services presented her report and explained that she had now received feedback from Kent County Council (KCC) on the Pension Discretion Policy which had previously been agreed by the Panel at its meeting on 9th July 2014.

KCC had highlighted the fact that one of the required rules had not been covered in the policy and as the Council's policy needs to be accurate to comply with the regulations it was necessary to submit an amendment.

RESOLVED:

That the updated Pension Discretion Policy as set out at Appendix A to the report, which included an additional reference to the regulations (TP Regulations 1(1)(c) of Schedule 2 – whether to allow the rule of 85 to be 'switched on' for members age 55-59) be agreed.

27. DURATION OF MEETING

16:30 to 18:10.

MAIDSTONE BOROUGH COUNCIL

MEMBER AND EMPLOYMENT AND DEVELOPMENT PANEL

21 JANUARY 2015

REPORT OF HEAD OF POLICY AND COMMUNICATIONS

Report prepared by Caroline Matthews

1. APPOINTMENT OF SUB-COMMITTEES

1.1 Issue for Decision

1.1.1 To consider the appointment of the Panel's various Sub-Committees.

1.2 Recommendation of the Head of Policy and Communications

That the Panel appoint the Sub-Committees as set out in Appendix A.

1.3 Reasons for Recommendation

1.3.1 Set out below are the various Sub-Committees that the Panel need to appoint including their terms of reference, membership and political balance requirements. It is possible to appoint a Sub-Committee which is not politically balanced, and the arrangements for such appointments are set out in paragraph 1.3.7 below.

1.3.2 Performance Sub-Committee

Terms of Reference: To review annually the performance of the Chief Executive and Directors, to agree targets for the coming financial year, and agree any corrective action which may be required relating to the previous financial year.

Membership: 5 x Members

Political Balance: 2 x Conservative, 2 x Liberal Democrat
1 x Labour

1.3.3 Appeals Sub-Committee

Terms of Reference: To hear and determine appeals against decisions taken by the Chief Executive under the disciplinary or capability procedures or to hear grievances raised against the Chief Executive under the grievance procedure.

Membership: 3 x Members

Political Balance: 2 x Conservative, 1 Liberal Democrat

1.3.4 Chief Officers Appeals Sub-Committee

Terms of Reference: To hear and determine appeals under the disciplinary procedures for staff on the JNC Conditions of Service for Chief Officers of Local Authorities.

Membership: 5 x Members

Political Balance: 2 x Conservative, 2 Liberal Democrat, 1 x Labour

1.3.5 Investigatory Sub-Committee

Terms of Reference: To act as an investigatory committee in disciplinary matters for staff on JNC Conditions of Service for Chief Officers of Local Authorities.

Membership: 5 x Members

Note: Members of this Sub-Committee must be different to those appointed to serve on the Chief Officers Appeals Sub-Committee

Political Balance: 2 x Conservative, 2 Liberal Democrat, 1 x Labour

1.3.6 Joint Consultative Sub-Committee

Terms of Reference: A consultative forum for views to be expressed between both parties (the Council and the Unions) on the Committee regarding the following issues relating to the employment of staff by the Council but excluding individual cases:

- Health and Safety Issues at Work
- Changes in Staff Structures
- Terms of Conditions of Employment

Such views are referred to the appropriate Council Decision Making Body.

Membership: 8 x Members

Political Balance: 4 x Conservative, 3 x Liberal Democrat,
1 x Labour

1.3.7 Section 17 of the Local Government and Housing Act 1989 provides for exceptions to the political balance requirements. In essence, the Panel can amend the political balance of a Sub-Committee provided that notice of the intention to give such consideration has been given to all Members of the Panel and when the alternative arrangements are put to the vote at the Panel, no members of the Panel votes against them.

1.4 Alternative Action and why not Recommended

1.4.1 An alternative would be to not appoint to any or all of the Sub-Committees but this is not recommended as it would be going against the decision of Council as set out in the Constitution.

1.5 Impact on Corporate Objectives

1.5.1 None.

1.6 Risk Management

1.6.1 Failure to appoint the Sub-Committees could create difficulties for the Council in undertaking the functions delegated to them.

1.7 Other Implications

1.7.1

1. Financial
2. Staffing
3. Legal
4. Equality Impact Needs Assessment
5. Environmental/Sustainable Development

- 6. Community Safety
- 7. Human Rights Act
- 8. Procurement
- 9. Asset Management

1.8 Relevant Documents

1.8.1 Appendices

Appendix A – Proposed Membership for the Member and Employment and Development Panel Sub-Committees.

1.8.2 Background Documents

None.

<u>IS THIS A KEY DECISION REPORT?</u>	<u>THIS BOX MUST BE COMPLETED</u>
Yes <input style="margin-left: 20px;" type="checkbox"/>	No <input checked="" style="margin-left: 20px;" type="checkbox"/>
If yes, this is a Key Decision because:	
Wards/Parishes affected:	

MEMBER AND EMPLOYMENT AND DEVELOPMENT PANEL
2014/15

PERFORMANCE SUB COMMITTEE

5 x Members

2 x Conservative, 2 x Liberal Democrat, 1 Labour

MEMBERS

CONSERVATIVE	LIBERAL DEMOCRAT	LABOUR
BLACKMORE	MRS JOY	MCKAY
BURTON	MRS WILSON	

SUBSTITUTES

CONSERVATIVE	LIBERAL DEMOCRAT	LABOUR
GREER	DALEY	HARPER
MCCLOUGHLIN	COX	
ROUND		

APPEALS SUB COMMITTEE

3 x Members

2 x Conservative, 1 x Liberal Democrat

MEMBERS

CONSERVATIVE	LIBERAL DEMOCRAT
MCCLOUGHLIN	MRS WILSON
PERRY	

SUBSTITUTES

CONSERVATIVE	LIBERAL DEMOCRAT
BLACKMORE	COX
GREER	DALEY
ROUND	MRS JOY

CHIEF OFFICERS APPEALS SUB COMMITTEE

5 x Members (including at least 1 Member of the Executive)

2 x Conservative, 2 x Liberal Democrat, 1 Labour

MEMBERS

CONSERVATIVE	LIBERAL DEMOCRAT	LABOUR
BURTON	CHITTENDEN	MCKAY
PERRY	MRS JOY	

SUBSTITUTES

CONSERVATIVE	LIBERAL DEMOCRAT	LABOUR
BLACKMORE	MRS WILSON	HARPER
GREER	DALEY	
MCCLOUGHLIN		
ROUND		

INVESTIGATORY SUB COMMITTEE

5 x Members (including at least 1 Member of the Executive)

Note: Members of this Sub Committee must be different to those appointed to serve on the Chief Officers Appeals Sub Committee

2 x Conservative, 2 x Liberal Democrat, 1 Labour

MEMBERS

CONSERVATIVE	LIBERAL DEMOCRAT	LABOUR
MCCLOUGHLIN	COX	HARPER
ROUND	MORTIMER D	

SUBSTITUTES

CONSERVATIVE	LIBERAL DEMOCRAT	LABOUR
BLACKMORE	MRS WILSON	MCKAY
BURTON	CHITTENDEN	
GREER		

JOINT CONSULTATIVE SUB COMMITTEE

8 x Members

4 x Conservative, 3 x Liberal Democrat, 1 x Labour

MEMBERS

CONSERVATIVE	LIBERAL DEMOCRAT	LABOUR
BLACKMORE	DALEY	MCKAY
BURTON	MRS JOY	
ROUND	MRS WILSON	
MCCLOUGHLIN		

SUBSTITUTES

CONSERVATIVE	LIBERAL DEMOCRAT	LABOUR
GREER	COX	HARPER
	CHITTENDEN	

Agenda Item 9

MAIDSTONE BOROUGH COUNCIL

MEMBER AND EMPLOYMENT AND DEVELOPMENT PANEL

WEDNESDAY 21 JANUARY 2015

REPORT OF CHIEF EXECUTIVE

Report prepared by Dena Smart, Head of HR Shared Service

1. PAY POLICY STATEMENT

1.1 Issue for Decision

1.1.1 A Pay Policy Statement must be agreed by full Council for publication by 31st March 2015. The Pay Policy Statement should set out the main aspects of the remuneration strategy of the council.

1.1.2 The Council met the target to publish a Pay Policy Statement by 31st March 2014 and the attached document has been updated to reflect changes during the year.

1.2 Recommendation of Head of Human Resources

1.2.1 That the Council be recommended to agree the proposed Pay Policy Statement set out at Appendix 1 to this report prior to publication on the council's web site.

1.3 Reasons for Recommendations

1.3.1 Section 38 (1) of the Localism Act 2011 came into force on 15 January 2012 and required English and Welsh local authorities to produce a pay policy statement for 2012/13 and for each financial year after that. The government recently produced a revised code and the draft pay policy statement reflects the requirements of the revised code.

1.3.2 The matters that must be included in the statutory pay policy statement and the revised code of practice are as follows:

- a local authority's policy on the level and elements of remuneration for each chief officer;
- a local authority's policy on the remuneration of its lowest-paid employees (together with its definition of "lowest-paid employees" and its reasons for adopting that definition);

- a local authority's policy on the relationship between the remuneration of its chief officers and other officers and in particular the pay multiple between the two;
- a local authority's policy on other specific aspects of chief officers' remuneration: remuneration on recruitment, increases and additions to remuneration, use of performance-related pay and bonuses, termination payments, and transparency;
- an organisation chart or description of the number and grades of staff in the top three layers of the organisation, with information on the grades of all those with salaries in excess of £50,000;
- details of trade union facility time including the number of trade union representatives for each of the recognised trade unions and the amount of time spent on trade union duties.

The reference to 'chief officer' refers to the statutory posts of Head of Paid Service, Monitoring Officer and Section 151 Officer plus any Deputy Chief Officers, which in our organisation includes anyone at Head of Service or above.

1.3.3 With regard to the process for approval, the pay policy statement:

- Must be approved formally by the council meeting
- Must be approved by the end of March each year
- Can be amended in year
- Must be published on the authority's website
- Must be complied with when the authority sets the terms and conditions for a chief officer

1.3.4 The Act specifically mentions that the pay policy statement may set out the authority's policies relating to other terms and conditions for chief officers and in the interest of open government there are recommendations that the pay policy statement sets out as much information relating to employee terms and conditions as is practical.

1.3.5 Terms and conditions of employment for employees is a non-executive function and the Member and Employment and Development Panel has delegated responsibility for this within the constitution.

1.3.6 The general approach of the Member and Employment and Development Panel has been to take the same approach to senior members of staff as that taken with all other employees in relation to the benefits available and the review processes followed. The council has a thorough approach that applies best practice in the areas of remuneration and equal pay.

1.4 Alternative Action and why not Recommended

1.4.1 The Council could choose to publicise a reduced version of the Pay Policy Statement that meets the minimum requirements of the Act but

this is not recommended as it does not satisfy the need for transparency and means that the data is not seen in the context of the good work already undertaken by the council.

1.5 Impact on Corporate Objectives

1.5.1 This supports the Workforce Strategy and the corporate objective Corporate and Customer Excellence.

1.6 Risk Management

1.6.1 The purpose of the report is not to change existing policy but to set out clearly the council’s current position on pay, on this basis there are no risks associated with agreeing the Pay Policy Statement. There are risks associated with not publishing a Pay Polciy Statement as the council would be in breach of the Localism Act 2011.

1.7 Other Implications

1.7.1

1.	Financial	
1.	Staffing	X
2.	Legal	X
3.	Equality Impact Needs Assessment	
4.	Environmental/Sustainable Development	
5.	Community Safety	
6.	Human Rights Act	
7.	Procurement	
8.	Asset Management	

The implications are set out in the report.

1.8 Relevant Documents

1.8.1 Appendices

Appendix I – Pay Policy Statement

1.8.2 Background Documents

None

IS THIS A KEY DECISION REPORT?

THIS BOX MUST BE COMPLETED

Yes

No

If yes, this is a Key Decision because:

.....

Wards/Parishes affected:

.....

Maidstone Borough Council

Pay Policy Statement 2015

1. Introduction

The local government workforce strategy has five key themes, which are mirrored by our own local strategy:

- Organisational development
- Leadership development
- Skills development
- Recruitment and retention
- Pay and rewards

These strategic themes recognise the importance of pay and rewards as fundamental to our role as an employer. Our work on pay and rewards began in 2006 with an equal pay audit resulting in significant changes to the council's terms and conditions. The work continued through the implementation of the Work Force Strategy and the development of a Total Rewards approach to remuneration for council staff.

Maidstone Borough Council has its own terms and conditions and undertakes local pay bargaining with trade unions.

2. Terms and Conditions – Decision Making

Terms and conditions for employees are a non-executive function and the responsibility for decisions on these matters is delegated to the Member and Employment and Development Panel by full council. The terms of reference for this group are set out in the constitution as follows:

- a) To consider the applications received for the posts of Chief Executive and Directors and to compile a short list for interview and subsequently to interview and make appointments.
- b) To review annually the performance of the Chief Executive and Directors, to agree targets for the coming financial year, and agree any corrective action which may be required relating to the previous financial year.
- c) To consider all other matters concerning the terms and conditions of service of the post of Chief Executive, and to recommend accordingly to the Council.
- d) Power to determine terms and conditions on which staff hold office (including procedures for their dismissal).
- e) To hear and determine appeals under the disciplinary procedures for staff on the JNC Conditions of Service for Chief Officers of Local Authorities.
- f) To hear and determine appeals against decisions taken by the Chief Executive under the Disciplinary or Capability Procedures or to hear grievances raised against the Chief Executive under the Grievance Procedure.

g) To act as an investigatory committee in disciplinary matters for staff on JNC Conditions of Service for Chief Officers of Local Authorities.

h) To advise the Cabinet Member for Corporate Services and the Head of Human Resources Shared Service on Member development priorities where appropriate.

i) A consultative forum for views to be expressed between both parties on the Committee regarding the following issues relating to the employment of staff by the Council but excluding individual cases:

- Health and Safety Issues at Works
- Changes in Staff Structures
- Terms of Conditions of Employment

Such views are referred to the appropriate Council Decision Making Body

Where the decision of the Member and Employment and Development Panel has a budgetary implication beyond the agreed in year budget this will also require agreement from Cabinet.

3. Reward Strategy

The Reward Strategy was developed in full consultation with trade unions, staff and Members and was agreed by the Employment and Development Panel on 5th April 2006. This was a very thorough piece of work that ensured the Council managed the terms of employees at all levels in the same way and applied the principles of equal pay and performance management to the scheme that was developed. The strategy has been refined over time but the principles have remained in place.

The principles for the reward strategy are to:

1. Support a **performance** orientated organisation;
2. Provide an **attractive** employment package at all levels;
3. Be relevant to a **modern** local government authority;
4. Have a pay structure that is **transparent** and straightforward;
5. Reward people **fairly** and consistently;
6. Move toward a **Total Reward** approach; and
7. To be **affordable** within the Medium Term Financial Strategy.

The reward strategy takes a 'Total Reward' approach to the benefits package received by employees at the council to ensure that maximum benefit is gained from all aspects of what is on offer to employees. The key elements of this package are set out below.

3.1 Pay Scale and Pay Progression

Our policy for grades within the organisation is to apply an objective assessment of the relative 'size and value' of all our roles using a formal job evaluation process. Posts are graded through the HAY Job Evaluation Scheme and this process measures the requirements of the role against the key criteria of Know How, Problem Solving and Accountability when all the duties are being performed and the employee is fully effective in the role. Job

evaluators are drawn from different parts of the organisation and trained to use the HAY scheme; every panel has one trade union representative as part of the panel. The **Lowest Paid** employees are defined as those whose posts have HAY points of 43 to 66 which place them into grade 2 of the pay scale, the same process is applied to Chief Officers whose roles are evaluated at the highest level of points. It is the policy of the organisation to refer to the HAY salary data for Local Government and to reflect the median salary for grades below Head of Service and upper quartile at Head of Service and above. In 2013 the council moved the lowest pay band in line with the out of London Living Wage.

The pay scale has up to seven increments which recognise that with development in a role over time an employee's skills are of more value to the organisation and therefore warrant a higher salary. There are fewer incremental points in the lower grades and more in the more complex roles. New appointments to post will normally be at the first point of the grade unless there is evidence of a skill shortage in line with the criteria set out in the Market Supplement Policy. The pay scale is at Appendix I(A).

Incremental progression is assessed against the agreed Competency Profile for the role and evidence of the necessary Performance Standards and agreed objectives. Assessment will be on an annual basis but will be linked to the clear and continuous performance at the level required at each incremental step. Standard progression for fully effective performance is not beyond scale point four; in grades 13 – 16 there are an additional three high performance increments which may be awarded for performance which is over that usually required in the post. The rules for pay progression are set out in Appendix I(B).

Incremental progression is assessed by an employee's line manager in consultation with the Head of Service and Director who has to approve the recommendations within their Directorate; this is monitored by Corporate Leadership Team. The process and timetable for appraisals and incremental progression for the Chief Executive and Directors is set out at Appendix I(C).

3.2 Market Supplements

Currently there are two employees in receipt of Market Supplements within the council. The policy that has been applied in times of recruitment difficulty is at Appendix I(D). There have been recruitment difficulties with senior planning staff during the year and it is anticipated that this will continue in several of the professional roles during 2015.

3.3 Pension

The council offers access to the Local Government Pension Scheme (LGPS) which is a significant benefit to employees and is one of the aspects of the Total Rewards package. The LGPS is a defined benefits scheme which requires contribution rates from employees of between 5.5% and 12.5% depending on earnings in accordance with the following table.

Pensionable Pay is:			Contribution rate:
£0	to	£13,500	5.5%
£13,501	to	£21,000	5.8%
£21,001	to	£34,000	6.5%
£34,001	to	£43,000	6.8%
£43,001	to	£60,000	8.5%
£60,001	to	£85,000	9.9%
£85,001	to	£100,000	10.5%
£100,001	to	£150,000	11.4%
£150,001 and above			12.5%

The employer contribution rate is around 13.4 % although this does vary from year to year, this is the future service rate excluding past service deficit.

The pension scheme is standard between all local government employers and in broad terms offers a pension benefit equivalent to 1/49th of pensionable salary per year of service, where pensionable salary is calculated on a career average with benefits paid at state retirement age.

Although most of the rules associated with the scheme are set centrally there are a few areas where local employers must define their own policy; the discretionary policy is attached at Appendix I(E). In broad terms it is not the policy of the council to increase pension benefits to employees through any form of enhancement.

Kent County Council is the administering authority for the Maidstone Borough Council scheme.

3.4 Pay Protection and Redundancy Payments

The council has a Redundancy Policy which sets out the approach that must be followed if posts are going to be affected because of organisational change. The procedure sets out the approval process and the consultation timetable, it also sets out the terms for redundancy and the pay protection policy, the pay protection policy is set out at Appendix I(F).

Any payments paid to an employee in relation to redundancy shall be in accordance with the statutory redundancy payments scheme and any other regulations applicable except that the Council will calculate a week's pay on actual earnings where this is in excess of the statutory maximum figure. *(Local Govt. (Early Termination of Employment)(Discretionary Compensation) (England and Wales) Regulations 2000).*

The policy of the organisation regarding re-employment following redundancy is that if a redundant employee commences local government employment within one month of the redundancy then the redundancy payment must be returned. Any other re-employment will only be considered where all other council rules on recruitment or procurement have been followed.

3.5 Other payments.

Honoraria

The council has a policy to recognise situations where an employee takes on more responsibility on a temporary basis; this is often as a cost saving measure when there is a vacancy, maternity leave etc. In 2014/15 there were seventeen people in receipt of Honoraria during the year and by the end of December this had reduced to twelve.

Cash and Non-cash Awards

As part of the Total Rewards package the council has mechanisms for recognising exceptional contributions both from individuals and teams. In 2014/15 these were received by nine employees and there was a total of £5280 paid in cash awards.

Stand-By payments

These are paid to a small number of employees (twenty six in 2014/15) who are on an out of hours on-call rota for specialist duties such as collecting stray dogs or attending noise complaints. The level of remuneration is up to £147 for each week of being on-call.

Car Allowances

In 2010 the council removed the facility for lease cars but retained a lease car allowance; in 2012 it was agreed that there would be no further allocation of the Lease Car Allowance in the future and that the current allowance would be frozen. During the period since 2010 cars have been removed as the lease expired and the affected employees have moved onto the allowance. This has meant a reduction from over forty employees with lease cars in 2010 to three current employees. In 2010 there were in excess of ninety employees receiving either a lease car or cash alternative and this figure has reduced to forty seven by December 2015. Mileage rates for those receiving this allowance are currently up to 28 pence per mile.

A car allowance of up to £1239 is given to those employees that are required to have a vehicle for their role and in 2014/15 this was given to sixty three members of staff. The majority of those staff in receipt of this payment are within the statutory services which require external visits e.g. planning, environmental health and housing. Mileage rates for those receiving this allowance are at the HMRC level (in 2014/15 this was 45 pence per mile)

Bonuses

The council does not make use of bonuses as part of its own remuneration package. However there are currently nine employees in receipt of regular bonuses as part of their TUPE (Transfer of Undertakings(Protection of Employment) Regulations 2006) transfer terms and conditions from a previous employer; this is ten fewer than in 2011/12. These employees are all employed in the grounds maintenance teams and the productivity bonus tops up a lower basic wage. The TUPE regulations give protection to employees when their employment transfers which may only be changed through consultation.

3.6 Special fees and arrangements

Special fees may be paid for certain additional duties. In general these are connected to election duties and the funding for the allowance will not come from the council's own budget. An additional fee is paid for the role of Returning Officer for the District elections, this statutory role may be allocated to the Chief Executive or other officer within the council. Additional fees may be paid when an employee undertakes the role of Returning Officer, Counting Officer or other similar role, on behalf of another authority or organisation.

The council has adopted the Kent schedule of fees which is attached at Appendix I(G).

3.7 Other employee benefits

The council provides access to an Employee Assistance Programme which gives both telephone and face-to-face counselling on a range of issues. The council has access to an Occupational Health Service which helps to ensure that employees are properly supported to avoid taking sick leave and to return to work as soon as possible.

The council supports employees in their role with a development plan and training opportunities to ensure they are fully qualified to give excellent service. The council has been recognised for its development-focussed culture through the achievement of the Investors in People Silver award.

On an annual basis the council has an Awards Ceremony which recognises the best achievements during the preceding year. The council also recognises long service and during 2014 this scheme was changed to recognise service over a longer period with shopping vouchers – the first level of recognition is at ten years and every five years thereafter up to forty years.

Salary sacrifice schemes – the council offers a salary sacrifice scheme to employees for the purchase of bicycles and childcare vouchers.

Buying annual leave – subject to agreement with their manager, employees are allowed to sacrifice some of their salary to buy more annual leave. In 2014/15 there were thirteen members of staff that used this benefit.

4. Monitoring

Salary budgets are monitored through the normal budget management processes by line managers. Members and senior officers regularly consider the Medium Term Financial Strategy and in particular to consider ways to reduce costs to the council.

As required by the Equality Act 2010 the council undertakes an equal pay audit of salaries annually which is published on the council's web site. This

helps to identify whether there are significant differences in any employees that have the protected characteristics.

The Code of Recommended Practice for Local Authorities on Data Transparency 2011 required that salary data was published on the highest earning staff within the council; this was actioned by March 2011 as required by the code. There has now been further qualification of the salary threshold for publication which has been set at £50,000 and above. This information is at Appendix 1(H).

The Code of Recommended Practice for Local Authorities on Data Transparency September 2011 (updated 2014) also requires that there is a process established to monitor the rate of growth of senior earnings compared to all other employees in the organisation. The formula required is to calculate the pay multiple of the Chief Executive compared to the median earnings of all other employees and where there is any significant change year on year this should be explained. It is the council's policy to use this pay multiple to monitor the relationship between remuneration of chief officers and other employees.

The recommendation in the 'Hutton Review of Fair Pay' 2011 has been followed:

'the pay multiple should be calculated on the basis of all taxable earnings for the given year, including base salary, variable pay, bonuses, allowances and the cash value of any benefits in kind'

	Chief Executive earnings	Median	Pay Multiple
2011/12	123,657	19,158	6.45
2012/13	122,720	18,028	6.81
% change from previous year	-0.76 %	-5.90%	5.58%
2013/14	128,321	20,390	6.29
% change from previous year	4.56%	13.10%	-7.64%
2014/15	114,913	20,454	5.62
% change from previous year	-10.45%	0.31%	-10.65%

The median earnings have only risen slightly in the last twelve months. Although there was an average 1% pay award in 2014/15 the earnings last year were inflated due to the additional payments to staff to cover the extended emergency period during the flooding in December and January

2014. The impact of these payments was to increase the median earnings for 2013/14 and consequently the increase in 2014/15 is less than would otherwise be expected.

The Chief Executives earnings have fallen this year compared to last. During the flooding in 2013/14 the Chief Executive worked continuously in the Emergency Centre and like all others that worked during this period she was paid for the additional hours worked; the impact was that there was a higher pay level than usual in 2013/14. One other influence is in the approach to remuneration for election duties and the role of Returning Officer, this fee was reduced significantly to the level in previous years.

It is important to emphasise that the pay policy of the council is to pay at the market median and this is only reached at the top of the incremental pay points for each grade. This ensures that people are paid at a lower level than the council policy until they have fully matured into the role and, although these are contractual payments, they are withheld if performance is not satisfactory at the expected level.

As there has been a fall in the Chief Executive's earnings compared to a small rise of the median earnings for all other employees the pay multiple has fallen for a second consecutive year.

5. Trade Union Facility time

The Council recognises three trade unions, UNISON; UNITE and the GMB. However there are only representatives for UNISON and UNITE.

The council has a history of co-operative employee relations and with a range of fair employment policies there is a low level of trade union activity. None of the trade union representatives spend more than 50% of their working time on trade union duties; the council allows reasonable time for trade union duties (attending management meetings, pay negotiation, etc.) but no time is given for trade union activities (canvassing for additional membership etc.). With this low level of required time the council has not previously required that the trade unions monitor time spent and the reported figure is therefore an estimate for 2014/15, monitoring will take place in the future for comparison purposes.

The number of trade union representatives is:

	Headcount	Full Time Equivalent (FTE)
UNISON	7	7
UNITE	1	1
GMB	0	0

Estimated trade union spend as a percentage of the pay-bill is 0.0088%

(calculated as the number of full time equivalent days (120/7.4 hours = 16.22 days) spent on trade union duties multiplied by the average salary (£21,937

per annum /260 days = £84.37 per day) divided by the total pay bill (£15,600,000).

6. Contact for further information

If you require any further information regarding the salary policy of the council you should contact Dena Smart, Head of HR Shared Services on 01622 602712 or by email on denasmart@maidstone.gov.uk

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Appendix I(A)

Pay Scale 2014 - 15

Grade	Spine point 1	Spine point 2	Spine point 3	Spine point 4	Spine point 5	Spine point 6	Spine point 7
1	GRADE ONE IS NO LONGER IN USE						
2	£14,760	£14,982					
3	£15,391	£15,770	£16,158				
4	£16,476	£16,882	£17,297				
5	£17,625	£18,059	£18,505	£18,961			
6	£19,519	£20,001	£20,494	£21,000			
7	£21,498	£22,030	£22,574	£23,133			
8	£23,498	£24,196	£24,914	£25,655			
9	£26,662	£27,454	£28,270	£29,111			
10	£29,665	£30,548	£31,457	£32,393			
11	£32,689	£33,663	£34,665	£35,697			
12	£36,404	£37,850	£39,354	£40,919			
13	£42,698	£44,541	£46,382	£48,181	£50,357	£52,533	£54,708
14	£58,602	£61,249	£63,897	£66,545	£69,689	£72,926	£75,082
15	£77,684	£81,080	£84,478	£87,875	£91,272	£94,669	£98,446
16	£103,086	£106,016	£108,948	£111,878	£114,810	£117,740	£122,440

Appendix I(B) **Pay Progression**

1. Annual Inflation Award

Annual pay consultation will consider the cost of living, the position of MBC pay in comparison to the market but affordability will be the foremost consideration. Consultation will commence annually in September with the aim to reach agreement within the budget cycle so that payment can be made in April salaries.

The Chief Executive and Head of HR are responsible for undertaking pay negotiation with trade unions but the Cabinet takes ultimate responsibility for agreeing the budget.

2. Pay progression within grade

The pay scale has up to four standard increments which recognise that with development in a role over time an employee is of more value to the organisation and therefore warrants a higher salary. There are fewer incremental points in the lower grades and more in the more complex roles. New appointments to post will normally be at the first point of the grade unless there is evidence of a skill shortage in line with the criteria set out in the Market Supplement Policy.

Progress through the grade will be assessed annually. This will not be an automatic progression but will require an assessment against the agreed Competency Profile and Performance Standards for the position. Where the employee has progressed towards the full competency profile they will be awarded an increment. Assessment for incremental progression will take place by October each year. This will therefore not be linked to the annual appraisal but will take place mid year. Increased increments will be paid with effect from 1st October.

Employees must have six months service in their role by the 1st October to be eligible for assessment, if they are more recently appointed they will receive a review after six months in the position, thereafter they will be reviewed annually for the October increment.

Individuals will need to consistently demonstrate the behaviours required by the Competency Profile and Performance Standards for their role in order to maintain their incremental position. One off performance will not be sufficient to merit or maintain an increment.

Where individuals do not sustain the level of performance or where they have been assimilated to the top of the grade but are assessed as not having the full range of competencies they will be given time to improve but their pay will be frozen until they drop to the pay level that matches their performance, this includes any rise in annual pay as a result of pay inflation. This is outside the normal Pay Protection policy as it does not represent an organisational

change. Where the individual is assessed as not meeting the requirements of the grade their performance will be treated as a capability issue.

3. High Performance Increments (HPI) – Grades 13-16

In addition to the standard incremental progression which is linked to fully acceptable performance there are an additional three incremental points in grades 13 to 16. These incremental points will be linked to sustained high performance and should not be awarded for one off projects for which either an ex-gratia payment or cash award may be more appropriate. These HPI's recognise the impact of senior managers on the high performance of the organisation and they should only be used where it is possible to demonstrate that the individual has added significant value over and above what might be seen by other fully effective performers in the same role.

High Performance Increments will be considered in line with the mid year review for effect in October. The HPI may be awarded on either a consolidated or non-consolidated basis. Recommendation for an HPI must be made by a Director to the Corporate Leadership Team for grades 13 and 14, by the Chief Executive to the Member and Employment and Development Panel (MEDP) appraisal sub-committee for Directors (grade 15) and by the Leader to the MEDP appraisal sub-committee for the Chief Executive.

Consideration of some or all of the following factors is appropriate when an award of an HPI is recommended:

- Flexibility to manage new services following structure changes
- Innovative ways of working to improve performance and reduce costs
- Management of services outside the council e.g. shared services
- Continued performance at a level above the current grade but where there are no suitable opportunities for promotion
- Increased income to the council from selling services

It is important to emphasise that the HPI will not be the norm for pay progression and movement onto these increments will be carefully monitored to ensure that there are no equal pay implications.

4. Career Grades and Incremental Progression

A Career Grade offers the opportunity of a long path of progression to a particular professional position. As such the nature of the role and the requisite competencies are likely to vary considerably between the entry point and final destination. This means that through Job Evaluation the Career Grade is likely to span several grades and have many steps. To enable this clear stepped progression there may be some need to have interim points between the normal incremental points e.g. in recognition of the achievement of some particular milestone. These half incremental steps will be allowed providing that there is prior agreement with the Head of HR and that they are applied equally to all those who meet the criteria and are set out as part of the agreed career grade structure. Progress through the career grade will need to be evidence based and the Head of HR will need to agree to the progression if it is between grades.

Appendix I(C)

Chief Executive and Director Appraisal Process

The appraisal panel for the Chief Executive will comprise of a sub-committee of the Member and Employment and Development Panel..

This panel will also take a ‘grandparent’ role to review and comment on the full annual appraisal and objectives for the Directors as set by the Chief Executive.

An indicative timetable and process for the Chief Executive is set out below:

Process	Dates	Papers Required
Chief Executive Appraisal and Director review with MEDP	March	
Mid Year Review – CEO with Chair of MEDP and Leader;	By mid September	Appraisal documents with agreed objectives and development plan – to be reviewed and up-dated
Mid Year Review - Directors with CEO	September	Appraisal documents with agreed objectives and development plan – to be reviewed and up-dated
Chief Executive preparation Documents complete for circulation to Sub Committee of MEDP	January	Previous years appraisal & Mid Year Review Knowledge, Skills and Performance Standards Strategic Direction Competency Framework Appraisal Preparation document Briefing note on appraisal preparation
Chief Executives appraisal with Sub Committee of MEDP	February	Appraisal produced from the meeting
Directors appraisals with CEO	February	Directors appraisals then CEO to write up and agreed by Directors
MEDP Sub Committee review of Directors appraisals	March	Previous years appraisal & Mid Year Review Knowledge, Skills and Performance Standards Strategic Direction Competency Framework Appraisal completed by Chief Executive & Director

MARKET SUPPLEMENTS FOR PAY

Introduction

The Council will utilise a Market Supplement to ensure that competitive salaries will attract and retain key workers in skill shortage areas without distorting the pay structures for all other employees. A Market Supplement for recruitment or retention purposes will only be used where there are clear business reasons that cannot be better addressed through the total benefits package, the work environment or department skill mix. It is recognised that pay is only one factor contributing to our attractiveness as an employer and other aspects of employment, particularly those relating to development, should be applied rather than using just a Market Supplement.

All jobs are graded using the HAY Job Evaluation system and the defined pay policy of the Council is to pay at Market Median where the market used is the HAY Local Government salary data. This is also checked against local Kent salary surveys to ensure that it is robust for the geographical region. This approach ensures that the employees of Maidstone Borough Council are paid at a fair level in comparison to other workers in similar employment groups.

However there is recognition that in certain professions there are either national or regional skill shortages and Maidstone needs to be responsive to the competition for these skills. In the longer term our aim will be to train employees to move into these specialist areas and to ensure that the specialists' skills are used properly within the organisation. In the short term Market Supplements may be used.

Identification of the Skill Shortage

Recruitment Campaigns

Where there is no anticipated shortage there will need to be a minimum of two appropriate external recruitment campaigns within a 12 month period to establish that it is not possible to fill a position before it is agreed there is a requirement for a market supplement.

Salary Survey

The salary survey is conducted on an annual basis and gives details of the comparative salaries for defined positions in the south east. This clearly identifies the median salaries and is particularly relevant for local government roles. This will enable the identification of positions which may be vulnerable and where there is more than a 10% salary difference from the median there should be consideration of the need for a market supplement. The existence of this difference alone is unlikely to be sufficient justification and further analysis will be required to identify whether this has had an adverse impact on the Council's ability to recruit and retain.

National Information

Within local government there are certain identified skill shortage areas. These are identified through data collection from the Employers Organisation. In 2014 these skills were listed as:

1. Children's social workers
2. Planning officers *
3. Building control officers *
4. Environmental health officers *
5. Educational psychologists
6. School crossing patrol
7. Adult social workers
8. Trading standards officers
9. Solicitors and lawyers *
10. Mental Health Social Workers

* category of worker employed by MBC

This national picture is the first indicator of a shortage. Where there is an identified shortage nationally the manager will still be required to demonstrate that this applies to the local area. This proof can be gained through the outcome of a relevant recruitment campaign during the previous 12 month period or through information from agencies about the availability of particular skill sets.

Market Supplement for Recruitment Purposes

The level of supplement will be agreed between the Director and the Head of HR in consultation with the Head of Finance. It will be paid as part of monthly salary and will be pensionable. The supplement will not be subject to the cost of living award and will not be taken into account for any salary related enhancements eg overtime which will be paid at the normal salary rate.

The Market Supplement will be given for a minimum two year period initially. This will be annually reviewed to confirm that the supplement is still necessary and at the appropriate level. Where a reduction in level is the outcome of the review this will not take effect until the minimum two years has expired. Reductions will follow the process set out in section 5.

The payment of a Market Supplement must be within the Director's agreed budget. Approval must be given by the relevant Director and the Head of Human Resources who will ensure that all alternative options have been explored.

Market Supplement for Retention Purposes

Whilst the Market Supplement is principally to enable the Council to be able to compete in a highly competitive market to attract new employees, there may be exceptional cases where a supplement should be considered for existing employees. This may occur in situations where a new recruit is offered a supplement which would then cause equally mobile colleagues to leave and

seek a similar salary elsewhere. There may also be occasions where an employee with a specialist skill needs to be retained to ensure business continuity.

The level of supplement will be agreed between the Director and the Head of HR in consultation with the Head of Finance. It will be paid as part of monthly salary and will be pensionable. The supplement will not be subject to the cost of living award and will not be taken into account for any salary related enhancements eg overtime which will be paid at the normal salary rate. The Market Supplement will be given for a minimum two year period initially. This will be annually reviewed to confirm that the supplement is still necessary and at the appropriate level. Where a reduction in level is the outcome of the review this will not take effect until the minimum two years has expired. Reductions will follow the process set out in section 5.

Agreement to the Market Supplement (or appointment above the bottom of the grade) will require the completion of the form at Appendix 1.

Payment of a Retention Supplement must only be considered in exceptional circumstances and particular attention must be paid to the Equal Pay issues.

Removal of the Supplement

The availability of skills varies over time. As professions are identified as skill shortage areas and salaries rise they can attract an increased number of trainees. Where this is the case the Council would not wish to incur unnecessary costs, i.e. paying more for a skill than the median rate if this would be sufficient to attract high quality applicants.

Management Team will review the posts attracting a supplement annually in January. When it is clear that a particular profession or skill area no longer necessitates a market supplement this will be withdrawn over a phased period of 2 years – with the withdrawal of 25% of the supplement every six months until the employee returns to the normal rate for the job. The assessment of the on-going need will relate to the national skills assessment combined with local salary reviews and the response to recruitment campaigns. When a market supplement is to be withdrawn the employee will be notified by the end of January and the phased withdrawal will commence in April of that year. In this way the annual pay award should help to offset any reduction.

Appendix I(E)

Maidstone Borough Council Policy and Procedural Issues Local Government Scheme Regulations Employer Discretions

This paper confirms the pension policy of Maidstone Borough Council as it relates to the exercise of discretions contained in the Local Government Pension Scheme Regulations 2013 and the LGPS (Transitional Provisions, Savings and amendments) Regulations 2014. Last updated June 2014.

The policy statement applies to all members of staff who are eligible to be members of the LGPS, as defined in the regulations i.e. employees with a contract of employment of over 3 month's duration and who are under 75 years of age and are contractually enrolled at the start of employment. Those with contracts of less than 3 months, including casuals, can join but need to elect to do so.

Employees who are members of the pension scheme are only entitled to receive pension benefits if they have 2 years or more service. Under LGPS 2014 Regulation 18, if an employee leaves within 2 years of the start of their employment their contributions can be repaid or transferred to another scheme, unless there is some fraudulent offence or misconduct in connection with the employment

Principles

The Authority will treat any individual retirement case and decisions on its merits.

Decisions relating to retirement will be made taking into account the business case and business implications, the financial implications, employment law consideration, the regulations and the legality of each case. It may also take into account long term savings, affordability, skills and skills retention and impact on service delivery.

The definition of business efficiency shall include, but not be limited to financial savings and/or quality improvements judged on a case by case basis.

Each decision will be made free from discrimination on the grounds of any protected characterising – age, disability, gender reassignment, marriage or civil partnership, pregnancy & maternity, race, religion and belief, sex, sexual orientation or any other personal criteria.

The Authority's decisions relating to retirement and the release of pension benefits will be in line with the current pension regulations. These regulations may be updated from time to time and the Authority will default to the regulations if the policy is not explicit on any current or future regulation.

Decisions relating to the release of deferred benefits to former employees will refer to the relevant pension policies applicable at the time of their employment. In such cases, the decision as to the release of deferred benefits will be on a case by case basis and will take into account the criteria detailed in these principles. Guidance may be sought from the pension administrators as required.

Regulation 9 (1) & (3) - Contributions

Maidstone Borough Council will apply the nationally determined employee contribution rates and bands. These are subject to change and may be varied.

Maidstone Borough Council will pay the rate of contributions determined in the regulations for employees whose pay is reduced through ill health or during authorised unpaid leave, including child related leave.

The calculation of pensionable pay will include basic annual salary plus any other pensionable salary items including – Market Supplement/ Premium, Overtime, Bonus, Honorarium, Salary Supplements. The pensionable pay will be reviewed monthly and based on earnings for that month to identify the appropriate band and contribution percentage

Maidstone Borough Council will notify employees of their individual contribution rates in their payslips or by letter at least annually.

Regulation 16 (2)e and 16 (4)d – Shared Cost Additional Pension Contributions (SCAPC)

It is not Maidstone Borough Council's general policy to operate a SCAPC where a scheme member wishes to purchase extra annual pension (up to the limit defined in the regulations).

Where a scheme member has a period of child related leave or authorised unpaid leave and elects, within 30 days of return to work, to pay a SCAPC to cover the amount of pension 'lost' during the period of absence, in these circumstances Maidstone Borough Council is required to contribute 2/3rds of the cost. If an election is made after the 30 day time limit the full costs will be met by the scheme member.

Employees who have the option to pay contributions in respect of a period of unpaid absence must elect to do so within 30 days of the date of the notice issued to them by the Human Resources Section stating the amount of contributions to be paid. This time limit may be extended by the Head of Human Resources if the employee can demonstrate exceptional circumstances so as to justify an extension of time.

TP Regulations 1(1)(c) of Schedule 2 – whether to allow the rule of 85 to be 'switched on' for members age 55-59.

It is not Maidstone Borough Council's general policy to make use of the discretion to 'switch back on' the 85 year rule protections unless there are clear financial or operational advantages to the council. Each case will be considered on its merits by Head of Human Resources, the Head of Finance and the relevant Director.

Regulation 17 (1) – Shared Cost Additional Voluntary Contributions (SCAVC)

It is not the current policy of the Borough Council to operate a shared cost Additional Voluntary Contribution Scheme for employees. However, this policy will be reviewed from time to time by the Head of Human Resources in conjunction with the Chief Finance Officer, subject to Member's approval.

Regulation 21 (5) – In determining Assumed Pensionable Pay whether a lump sum payment made in the previous 12 months is a 'regular lump sum'.

Maidstone Borough Council will maintain a list which details what Maidstone Borough Council considers being a regular lump sum payment made to our employees to be used in the calculation of the Assumed Pensionable Pay

Regulation 22 (7)(b) & 22 (8)(b) - Aggregation of Benefits

Employees who have previous LGPS pension benefits in England and Wales will automatically have these aggregated with their new LGPS employment unless they elect within 12 months of commencing membership of the LGPS in the new employment to retain separate benefits. Maidstone Borough Council has the discretion to extend this period beyond 12 months and each case will be considered on its own merits by the Head of Human Resources, the Head of Finance and the relevant Director.

Regulation 30(6) – Flexible Retirement

It is Maidstone Borough Council's policy to only provide consent for flexible retirement and the immediate payment of benefits where there are clear financial or operational benefits to the council. Any such consent requires the agreement of the Director of Human Resources and the relevant Director and each case would be considered on its merits.

If consent has been given under Regulation 30 (6) it is not Maidstone Borough Council's general policy to waive any actuarial reduction unless there are exceptional circumstances.

Regulation 30(8) Waiving of Actuarial Reductions

It is not the policy of the Borough Council to give consent to the immediate payment of benefits to employees under this regulation unless there is a demonstrable benefit to the organisation which would take full account of any extra costs to be borne by the Authority. In circumstances where a request is made for an early payment of a deferred benefit this is unlikely to be granted except in the most extreme cases of hardship; circumstances must be exceptional and would not reasonably be expected to prevail i.e. the occurrence of a disaster or accident etc. Financial hardship alone would not normally be deemed sufficient. Any such consent shall be agreed by the Head of Human Resources, Head of Finance and the relevant Director taking account of all the details involved in the case.

Where a scheme member has previously been awarded a preserved benefit, it is not generally the policy of Maidstone Borough Council to give consent under this regulation to the early payment of benefits, however each request will be considered and full account taken of any costs to be borne by the authority. Any consent shall be agreed by the Head of Human Resources, Head of Finance and the relevant Director taking account of all the details involved in the case. It is not the council's general policy to waive any actuarial reduction in these circumstances.

Regulation 31 – Award of Additional Pension

Maidstone Borough Council has the discretion to award additional pension (up to the additional pension limit defined in the regulations) to an active member or within 6 months of leaving the scheme to a scheme member who was dismissed on grounds of redundancy or business efficiency.

Maidstone Borough Council will only exercise this discretion in exceptional circumstances and where there is a proven total benefit to the organisation which includes any costs that might be borne by the authority. Any consent shall be agreed by the Head of Human Resources, Head of Finance and the relevant Director taking account of all the details involved in the case.

Regulation 100 (6) – Aggregation of Benefits

If a scheme member wishes to transfer any pension benefits they have built up in other schemes to the Local Government Pension Scheme, it is the policy of Maidstone Borough Council that the election must be made within 12 months of the Pension Section being notified that the employee has become an active member of the Kent Scheme.

If the 12 month period has elapsed then the member may make a case for any exceptional circumstances to be considered by the Head of Human Resources, the Head of Finance and the relevant Director within Maidstone Borough Council and by the Pension Scheme Administrator, both organisations must agree to the late transfer.

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Appendix I(F)

Pay Protection Policy Introduction

The Council believes that an integral feature of any successful organisation is its ability to identify the need for change and to manage that change, taking into account management's aspirations as well as the aspirations and well being of its employees.

Whilst the Council is committed to providing security of employment and to minimising the personal impact of organisational change there will be occasions when it will be necessary to reorganise services and the way in which they are delivered. In these circumstances the provisions of this policy will apply.

Scope

This policy applies to any employee who, as a consequence of organisational change, is required by management to move to a new post or suffers a reduction in basic hours worked within the standard working week. The provisions of this policy do not apply where an employee moves to another position as a result of:

action taken in accordance with the Council's disciplinary or capability procedures

the need for re-deployment on health grounds

unacceptable standards of work performance

a request from the individual or by mutual agreement between the individual and the Council

a voluntary application to another position within the Council.

Protection Period

Protection of earnings will be given for a period of 36 months. The first twelve months will be protected at the full earnings of the role held by the employee prior to the change. The 13-24 month period will be with a 33% reduction of the difference between the new earnings and the earnings of the role held prior to the change. The 25-36 month period will be with a 66% reduction and after a period of 36 months the employee will move to the salary and earnings of the new post. The employee will be moved to the salary point of the pay scale for the grade of the new post that is closest to the salary of the previous post. In most cases this is likely to be the highest incremental point of the relevant grade.

In exceptional circumstances, and where there may be a cost advantage to the organisation (eg where redundancy costs would be very high) there may

be agreement with the Chief Executive, the Head of Finance and Head of Human Resources to extend this period to a maximum of five years.

Calculation of Protection

Earnings protection will be calculated as an average of the earnings in the four months preceding the organisational change. This will include basic salary, essential car user allowance, lease car cash allowance, stand-by payments and an average of overtime and out of hours payments.

Earnings in the new post will be off-set against protected earnings and if for any particular pay period the earnings in the new post exceed the protected earnings then the higher earnings will be paid for that pay period.

Where the period of protection spans the annual pay award the protected earnings shall remain as they were prior to any pay uplift (ie on a mark-time basis) but the calculation of the new earnings will be at the increased rate.

Conditions of Protection

Protection of earnings is conditional upon the employee undertaking any shift work or other duties which may be required in the new post up to the level at which the earnings in the new post equal the protected earnings.

Protection of earnings is also conditional upon the employee accepting any subsequent offer of a suitable alternative post which attracts a salary in excess of that of the new post.

Overtime will be paid at the new rate (ie the real rate attached to the post) not at the protected rate.

Terms and Conditions other than Pay

Annual Leave entitlements and length of notice period required from the employee will not be protected and those applicable to the new post will be effective from the date of transfer.

Appendix I(G)

KENT ASSOCIATION OF ELECTORAL REGISTRATION OFFICERS AND STAFF

Proposed scale of fees for District/Borough and Parish Council elections held on or after 1st April 2014

ITEM	Current 2013 £	Proposed 2014 £	% increase
1. For each Presiding Officer at a Polling Station – single election	197.25	199.22	1.00
2. For each Presiding Officer at a Polling Station – combined election or difficult station due to local circumstances (at the discretion of the Returning Officer)	242.32	244.74	1.00
3. For a Presiding Officer who acts as a supervisor at a Polling Place where there is more than one Polling Station	(additional) 9.56	(additional) 9.66	1.05
4. Presiding Officer travel (see note 4 below)	13.52	13.66	1.04
5. For each Poll Clerk at a Polling Station – single election	118.35	119.53	1.00
6. For each Poll Clerk at a Polling Station – combined election (at the discretion of the Returning Officer)	146.52	147.99	1.00
7. Poll Clerk travel (see note 4 below)	7.86	7.94	1.02
8. Supervising Officer – for every 10 polling stations overseen	197.25	199.22	1.00
9. For each Presiding Officer, Poll Clerk and Supervising Officer attending training	43.78	44.22	1.01
10. For each training session provided by the Returning Officer to Presiding Officers and Poll Clerks	169.09	170.78	1.00
11. For the delivery of official Poll Cards by hand	0.34	Up to 2 nd class postage rate	-
12. For the employment of persons in connection with the counting of votes, clerical and other assistance required by the Returning Officer – for each 500 electors (or part) in a contested election	69.01	69.70	1.00

ITEM	Current 2013 £	Proposed 2014 £	% increase
13. For the employment of persons in connection with the preparation, issue and opening of postal ballot papers – for every 100 (or part) postal ballot papers issued. (Further resources may be needed to meet the effects of the Electoral Administration Act 2006)	67.63	68.31	1.01
14. For each recount of the votes – for each 500 electors (or part) (see note 3 below)	3.97	4.01	1.01
15. Travel of staff in connection with the counting of votes (at the discretion of the Returning Officer – see note 4 below)	7.86	7.94	1.02
16. For clerical and other assistance required by the Returning Officer at an uncontested election – for each 500 electors (or part)	18.77	18.96	1.01
17. Payment to the District/Borough for the use of Council staff to support the Returning Officer in the conduct of elections as follows:			
(a) contested election – (i.e. without District/Borough) for each 500 electors (or part)	53.45	53.98	0.99
(b) contested joint election (i.e. with District/Borough) – for each 500 electors (or part)	26.72	26.99	1.01
18. Payment to the District/Borough for the use of Council staff at an uncontested election – per uncontested election (see note 5 below)	14.74	14.89	1.02
19. Returning Officer's fee for the conduct of elections as follows:			
(a) contested District/Borough OR Parish election – for each 500 electors (or part)	29.87	30.17	1.00
(b) contested joint District/Borough AND Parish election – for each 500 electors (or part)	41.26	41.67	0.99
(c) uncontested District/Borough election – single fee	51.15	51.66	1.00
(d) uncontested Parish election – single fee	17.52	17.70	1.03

Appendix I(H)

Details of remuneration and job title of certain senior employees whose earnings are between £50,000 and £150,000.

Position	Department	Remuneration	No of staff under management responsibility	Budget responsibility	Other services/responsibilities
Chief Executive	Chief Executive	£110,000 - £114,999	554		Returning Officer responsible for all elections & Head of Paid Service
Director of Environment & Shared Services	Environment & Shared Services	£100,000 - £104,999	128		
Director of Regeneration and Communities	Regeneration and Communities	£100,000 - £104,999	179		Section 151 Officer
Head of Mid Kent HR	Mid Kent HR	£75,000 - £79,999	16		Head of shared service with Swale Borough Council
Head of Mid Kent ICT	Mid Kent ICT	£75,000 - £79,999	36		Head of shared service with Swale and Tunbridge Wells Borough Councils
Head of Policy & Communications	Policy & Communications	£75,000 - £79,999	64		
Head of Finance & Resources	Finance & Resources	£70,000 - £74,999	62		
Head of Planning & Development	Planning & Development	£70,000 - £74,999	72		
Head of Housing & Community Services	Housing & Community Services	£70,000 - £74,999	62		
Head of Mid Kent Revenues & Benefits	Mid Kent Revenues & Benefits	£65,000 - £69,999	41		Head of shared service with Tunbridge Wells Borough Council
Head of Commercial & Economic Development	Commercial & Economic Development	£65,000 - £69,999	52		
Head of Mid Kent Audit	Mid Kent Audit	£65,000 - £69,999	9		Head of shared service with Ashford, Swale and Tunbridge Wells Borough Councils.
Chief Technology Officer	Mid Kent ICT	£60,000 - £64,999	18		Manager within shared service with Swale and Tunbridge Wells Borough Councils.
Chief Information Officer	Mid Kent ICT	£60,000 - £64,999	15		Manager within shared service with Swale and Tunbridge Wells Borough Councils. Remuneration also includes Emergency Planning supplement.
Property & Procurement Manager	Property, Procurement & Facilities Management	£55,000 - £59,999	39		
Communications Manager	Communications	£55,000 - £59,999	5		
Business Improvement Manager	Business Improvement	£55,000 - £59,999	4		
Economic Development & Regeneration Manager	Economic Development & Regeneration	£50,000 - £54,999	3		
HR Shared Service Manager	Mid Kent HR	£50,000 - £54,999	4		Manager within shared service with Swale Borough Council
Building Surveying Manager	Building Surveying	£50,000 - £54,999	8		Remuneration includes Emergency Planning Officer supplement
Community Partnerships Manager	Community Partnerships	£50,000 - £54,999	29		

Number of employees whose remuneration in 2013/14 is at least £50,000 in brackets of £5,000

Remuneration band	Number of employees in band
£50,000 - £54,999	4
£55,000 - £59,999	3
£60,000 - £64,999	2
£65,000 - £69,999	3
£70,000 - £74,999	3
£75,000 - £79,999	3
£80,000 - £84,999	0
£85,000 - £89,999	0
£90,000 - £94,999	0
£95,000 - £99,999	0
£100,000 - £104,999	2
£105,000 - £109,999	0
£110,000 - £114,999	1
Total	21

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This information is published in accordance with the guidance associated with The Code of Recommended Practice for Local Authorities on Data Transparency (2014) which requires the publication of senior salaries within a £5000 range.

Data transparency: Maidstone Borough Council organisation chart

