

Report

Cabinet

Part 1

Date: 6 April 2022

Subject Pay and Reward Policy 2022/23

Purpose Cabinet to consider the Pay and Reward Policy for 2022/23

Author Head of People, Policy and Transformation
HR and OD Manager

Ward N/A

Summary The Localism Act 2011 requires English and Welsh local authorities to produce a “pay policy statement” on an annual basis. The legislation outlines a number of statutory requirements which must be included in any pay policy statement.

The Pay and Reward Policy outlines the current position in respect of pay and reward within the Council. It will be reviewed and reported to Council on an annual basis to ensure it meets the principles of fairness, equality, accountability and value for money for the authority and its residents.

The Pay and Reward Policy 2022/23 has been reviewed and no changes are proposed this year. This statement will come into immediate effect once fully endorsed by Council.

Proposal Cabinet to approve the Pay and Reward Policy in order to meet the statutory requirement for a pay policy statement to be approved and published by Council on an annual basis.

Action by Chief Executive/Head of People, Policy and Transformation

Timetable Immediate

This report was prepared after consultation with:

- Chief Executive
- Head of Law and Regulation
- Head of Finance

Signed

Background

The Localism Act 2011 requires English and Welsh local authorities to produce a 'pay policy statement' on an annual basis. Items which must be included in the statutory pay policy statement 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
- A local authority's policy on other specific aspects of chief officers' remuneration: remuneration on recruitment, increases and additional to remuneration, use of performance-related pay and bonuses, termination payments, and transparency.

The Act also specifies that the pay policy statement:

- must be approved on an annual basis formally by the full Council meeting (the responsibility cannot be delegated to Cabinet or a sub-committee)
- can be amended in-year
- must be published on the authority's website (and in any other way the authority chooses)
- must be complied with when the authority sets the terms and conditions for a chief officer.

The Act requires an authority to have regard to any statutory guidance on the subject issued or approved by the Secretary of State or Welsh Ministers. The Welsh Government issued statutory guidance on "*Pay Accountability in Local Government in Wales*" in March 2012 and the Public Services Staff Commission published further supplementary guidance in December 2016.

Pay and Reward Policy

The Council recognises that, in the context of managing scarce public resources, remuneration at all levels needs to be adequate to secure and retain high quality employees dedicated to the service of the public; but at the same time needs to avoid being unnecessarily generous or otherwise excessive.

The Council's Pay and Reward Policy, initially approved in March 2012, was developed to meet the statutory requirements contained in the Localism Act 2011. However, in the spirit of transparency, the Council took the opportunity to take a wider view and include information relating to school based employees. Local authority schools are specifically excluded from the Localism Act's statutory requirements. However, as employees in community maintained and voluntary controlled schools are employees of the Council, reference has been made to school based employees within the Pay and Reward Policy. It is recognised that the pay decisions for these employees are delegated to school Governing Bodies by legislation and that each school is responsible for publishing its own Pay Policy. For the avoidance of doubt, the relevant school Pay Policies are the definitive version of policy for school based staff engaged by the governing body of the respective school.

Subject to approval by full Council, to meet the requirements of the Localism Act, the Pay and Reward Policy attached will be published on the Council's website. In addition, in accordance with the provisions of Accounts and Audit (Wales) Regulations 2005, the Council's Annual Statement of Accounts will include a note setting out salary and remuneration information for Council posts where the full time equivalent salary is at least £60,000.

Updates since April 2021

The pay award for the Chief Executive and Chief Officers is set by the Joint National Council (JNC) and has been confirmed as 1.5% with effect from April 2021-March 2022.

The pay award for all other non-teaching staff (with the exception of the small number of staff employed on Soulbury pay) is set by the National Joint Council (NJC) and has been confirmed as 1.75% with effect from April 2021-March 2022. The Soulbury pay award was implemented in September 2021, as was the pay award for all teaching staff.

Discussions are underway on a national basis in relation to any pay award decisions for 2022/23.

From November 2021 the Real Living Wage increased to £9.90 per hour and the Council will therefore apply a supplement to pay for those employees whose contractual pay falls below this rate. This is usually paid at the same time as the NJC pay award for all other employees.

In line with the requirements of the Local Government and Elections (Wales) Bill all references to the Head of Paid Service have been removed when referring to the Chief Executive, as has reference to 'salary' which is replaced with 'remuneration.'

The Gender Pay Gap

In accordance with the Equality Act (Gender Pay Gap Information) Regulations 2017, the Council is required to publish its gender pay gap information on its website and upload them onto a national Government website by 31st March 2021.

We have 2,407 relevant employees (excluding schools) for the purpose of establishing the gender pay gap, of which 69.46% are women and 30.54% are men. The median pay gap increased from 0.57% to 2% whilst the mean pay gap decreased further from 3.6% in 2019, to 1.92% in 2020 and now 1.5% in 2021.

Newport City Council has one of the smallest gender pay gaps from amongst local authorities in Wales and compares favourably to the national average of 15.5%. Our gender pay gap report is published on the Council's transparency page each year [here](#) and will be updated in April 2022. Implications are also considered in the Strategic Equalities Annual Report.

Our Mean pay gap

- Our average hourly rate for women is £14.45
- Our average hourly rate for men is £14.66
- Our mean pay gap between men and women is 1.5%. This means that, on average, a woman's hourly rate of pay is 1.5% lower than a man's.

Our median pay gap

- Our median hourly rate for women is £12.69
- Our median hourly rate for men is £12.95
- Our median pay gap between men and women is 2%. This means that the median (or midpoint) hourly rate for a woman is 2% lower than a man's.

Our bonus pay gap

Following the implementation of Single Status Pay and Grading Arrangements in 2015, the Council no longer makes any bonus payments to either men or women.

Our pay quartiles

We must report the percentage of men and women in each pay quartile. Quartiles are created by listing the rates of pay for all employees from lowest to highest, before splitting that list into four equal sized groups and calculating the percentage of men and women in each quartile.

	FEMALE	MALE	TOTAL
LOWER	73%	27%	100%
LOWER MIDDLE	67%	33%	100%
UPPER MIDDLE	69%	31%	100%
UPPER	69%	31%	100%

Pay Relativities within the Council

The relationship between the rate of pay for the lowest paid Council employee and that of the Council's Chief Officers is determined by the processes used for determining pay and grading structures set out in the Pay and Reward Policy. The Council's lowest paid employee is paid on spinal column point 1 of the NJC for Local Government Workers.

As part of its commitment to pay transparency, and following the recommendations of the Hutton Review, the Council will publish information on pay relativities on an annual basis in the Pay and Reward Policy. This information for **2021-22** is as follows:

Multiple of Salary	Ratio
<ul style="list-style-type: none">the multiple between the annual salary of the lowest paid Council employee and the Chief Executive (full-time equivalent basis) as a ratio	1 : 7.19
<ul style="list-style-type: none">the multiple between the annual salary of the lowest paid Council employee and the average Chief Officer (full-time equivalent basis) as a ratio	1 : 4.7
<ul style="list-style-type: none">the multiple between median earning of Council employees and the Chief Executive (full-time equivalent basis) as a ratio	1 : 4.26
<ul style="list-style-type: none">the multiple between median earning of Council employees and the average Chief Officer (full-time equivalent basis) as a ratio	1 : 2.7

Note:

- i) Column A provides the pay ratio as per the requirement of the Localism Act 2011
- ii) These figures exclude remuneration for appointments within organisations for which the Council provides a payroll service but is not the employer.
- iii) These figures exclude remuneration for joint appointments where the Council is not the employer

Financial Summary (Capital and Revenue)

There are no financial implications contained in the updated *Pay and Reward Policy*, as the policy confirms the current pay and reward arrangements in place in the Council.

Risks

Risk Title / Description	Risk Impact score of Risk if it occurs* (H/M/L)	Risk Probability of risk occurring (H/M/L)	Risk Mitigation Action(s) What is the Council doing or what has it done to avoid the risk or reduce its effect?	Risk Owner Officer(s) responsible for dealing with the risk?
Failure to comply with statutory requirement to approve and publish a "pay policy statement" on an annual basis	H	L	Produced an updated <i>Pay and Reward Policy</i> which meets the statutory requirements and which is recommended for approval by Council	Chief Executive / Head of People, Transformation and Policy

* Taking account of proposed mitigation measures

Links to Council Policies and Priorities

The Pay and Reward Policy forms a key part of the Council's People and Culture Strategy. The strategy underpins the Council's Corporate Plan and strategic objectives - how employees are rewarded for their contribution is directly linked to the delivery of the council's key aims. The updated Pay and Reward Policy will ensure, when approved, that the Council complies with the statutory requirement to publish a "pay policy statement" on an annual basis.

Options Available and considered

The options available are as follows:

1. For Cabinet to agree to recommend the updated Pay and Reward Policy to full Council for approval.
2. For Cabinet not to agree to recommend the updated Pay and Reward Policy to full Council for approval.

Preferred Option and Why

For the Cabinet to agree to recommend the updated Pay and Reward Policy to full Council for approval in order to meet the statutory requirements for a 'pay policy statement' to be published on an annual basis.

Comments of Chief Financial Officer

The Council's Budget is based on the overall pay structures in place, as outlined in the updated *Pay and Reward Policy*. There are therefore no direct financial implications contained in the report.

Comments of Monitoring Officer

The Council has a statutory duty under Section 38 of the Localism Act 2011 to approve and publish its Pay Policy on an annual basis. The proposed Pay and Reward Policy has been prepared in accordance with the legislation and Welsh Government Guidance. There are no significant changes since last year, but pay levels have been updated in line with national pay awards and references to the salary of the Head of Paid Service have been replaced by "remuneration" paid to the statutory "Chief Executive" in accordance with the requirements of the Local Government and Elections (Wales) Act 2021. The policy has to be approved by full Council on an annual basis, in order to comply with the statutory requirements. Therefore, Cabinet will need to make a recommendation to full Council in May to

retrospectively approve and adopt the final Pay and Reward Policy as from April 2021. Once adopted, the Pay and Reward Policy will need to be published and the Annual Statement of Accounts will also need to include details of the remuneration of individual Chief Officers, to comply with the requirements of the Audit (Wales) Regulations.

Comments of Head of People, Policy and Transformation

As the report author, the comments of the Head of People, Policy and Transformation are contained within the main body of the report.

The report outlines how the sustainable development principle has been considered in developing the Pay and Reward policy.

Scrutiny Committees

N/A

Fairness and Equality Impact Assessment:

- **Wellbeing of Future Generation (Wales) Act**
- **Equality Act 2010**
- **Socio-economic Duty**
- **Welsh Language (Wales) Measure 2011**

The Pay and Reward Policy contributes to the well-being goals for a more equal Wales and a prosperous Wales. The policy demonstrates how employees are rewarded for their contribution to the organisations local and national priorities, and will ensure the Council complies with the statutory requirement to publish a “pay policy statement” on an annual basis.

The five ways of working have been applied when considering this proposal. The Council is required to publish a Pay Policy Statement each financial year and this updated policy meets this requirement. This policy provides a framework for decision making on pay and allows the Council to demonstrate its key approaches to pay and reward for employees, ensuring resources are managed effectively both in the short and longer term.

This updated policy outlines the Council's approach to pay and reward of its employees in the interests of openness and transparency, and is in place to prevent problems and issues occurring with any decisions made in relation to public sector pay. The policy also forms a key part of the Council's People and Culture Strategy. The strategy underpins the Council's Corporate Plan and strategic objectives - how employees are rewarded for their contribution is directly linked to the delivery of the council's key aims and objectives.

As part of this policy, the Council's intention is to continue to develop collaborative working on a planned and strategic basis with local authority partners and other public and third sector organisations. In addition, the policy provides the public with the Council's policy on all aspects of pay and reward, including senior posts and the lowest paid posts, explaining the relationship between remuneration for senior post holders and other groups.

An FEIA has been undertaken in relation to the proposed Pay and Reward Policy in 2020 which is still relevant for the 2022 update as there are no changes.

The FEIA consulted Corporate Management Team and Trade Union representatives on behalf of the workforce. No disproportionate impact on people that share protected characteristics, people who experience inequalities as a result of socio-economic disadvantage, or Welsh language stakeholders were identified.

Consultation

As outlined within the report

Background Papers

Pay and Reward Policy 2022/23

Gender Pay Gap report 2021/22

FEIA October 2020

Dated: 30 March 2022