



Complete Agenda

Democratic Service
Swyddfa'r Cyngor
CAERNARFON
Gwynedd
LL55 1SH

Meeting

CHIEF OFFICERS APPOINTMENTS COMMITTEE

Date and Time

2.00 pm, TUESDAY, 11TH FEBRUARY, 2020

Location

**Siambr Hywel Dda, Council Offices,
Caernarfon, Gwynedd, LL55 1SH**

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(DISTRIBUTED Monday, 3 February 2020)

CHIEF OFFICERS APPOINTMENTS COMMITTEE

MEMBERSHIP (15)

Plaid Cymru (8)

Councillors

E. Selwyn Griffiths
Peredur Jenkins
Dyfrig L. Siencyn
Dafydd Meurig

Annwen Hughes
Mair Rowlands
Gethin Glyn Williams
Olaf Cai Larsen

Independent (5)

Councillors

Richard Medwyn Hughes
Eryl Jones-Williams
Angela Russell

Eric M. Jones
Dewi Wyn Roberts

Llais Gwynedd (2)

Councillors

Robert Glyn Daniels

Alwyn Gruffydd

Ex-officio Members

Chair and Vice-Chair of the Council

Councillor Edgar Wyn Owen and Simon Glyn

A G E N D A

1. APOLOGIES

To receive any apologies for absence.

2. DECLARATION OF PERSONAL INTEREST

To receive any declaration of personal interest

3. URGENT ITEMS

To note any items that is a matter of urgency in the view of the Chairman for consideration.

4. MINUTES

4 - 5

The Chairman shall propose that the minutes of the meeting of this committee held on 19th July 2019 be signed as a true record

5. ANNUAL REVIEW - COUNCIL'S PAY POLICY

6 - 16

To submit the report of the Chief Executive

Agenda Item 4

CHIEF OFFICERS' APPOINTMENT COMMITTEE, 19.07.19

Present: Councillors: Medwyn Hughes, Eryl Jones-Williams, Selwyn Griffiths, Alwyn Gruffydd, Annwen Hughes, Peredur Jenkins, Eric M. Jones, Cai Larsen, Dafydd Meurig (Chair), Dewi W Roberts, Mair Rowlands, Angela Russell, Dyfrig Siencyn, and Gethin Glyn Williams

Also in Attendance: Dilwyn Williams (Chief Executive), Geraint Owen (Head of Corporate Support Department), Eurig Williams (Human Resources Advisory Services Manager) and Lowri Haf Evans (Member Support Officer).

1. APOLOGIES

Apologies were received from Councillor Glyn Daniels.

2. DECLARATION OF PERSONAL INTEREST

Councillor Medwyn Hughes declared a personal interest in relation to item 6 on the agenda as one of the applicants was a neighbour. The Member was of the opinion that it was a prejudicial interest and he withdrew from the Chamber during the interview and the discussion.

3. URGENT ITEMS

None to note

4. MINUTES OF THE PREVIOUS MEETING

The Chair signed the minutes of the previous meeting of this committee held on 27.06.19 as a true record.

5. EXCLUSION OF PRESS AND PUBLIC

RESOLVED to exclude the press and public from the meeting during the discussion on the following item due to the likely disclosure of exempt information as defined in paragraph 12, Section 4, Schedule 12A, Local Government Act 1972. This paragraph is relevant as the report contains information about specific individuals who have the right to privacy. There is no public interest that calls for disclosing personal information about these individuals. Consequently, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

6. INTERVIEWS FOR THE POST OF HEAD OF HOUSING AND PROPERTY DEPARTMENT

The order of the interviews was confirmed with Members.

Two applicants were interviewed for the post.

The applicants gave a presentation on '*What are the opportunities and the threats you envisage for the Department over the next two years and how do you propose to respond to these?*'. Responses were provided to a number of ensuing questions together with five formal questions.

Mr Geraint Owen, Head of the Corporate Support Department was invited to submit observations from the Assessment Centre held on 12.7.19. A detailed summary of the performances of both applicants were received together with the applicants' psychometric test results gathered by Gatenby Sanderson company.

It was proposed and seconded that the post be offered to Mr Dafydd Gibbard.

RESOLVED TO APPOINT MR DAFYDD GIBBARD TO THE POST OF THE HEAD OF HOUSING AND PROPERTY DEPARTMENT

7. INTERVIEW FOR THE POST OF HEAD OF HIGHWAYS AND MUNICIPAL DEPARTMENT

The order of the interviews was confirmed with Members.

One applicant was interviewed for the post.

The applicant gave a presentation on '*What are the opportunities and the threats you envisage for the Department over the next two years and how do you propose to respond to these?*'. Responses were provided to a number of ensuing questions together with five formal questions.

Mr Geraint Owen, Head of the Corporate Support Department was invited to submit observations from the Assessment Centre held on 12.7.19. A detailed summary of the applicant's performance was received together with the results of the psychometric test gathered by Gatenby Sanderson company.

It was proposed and seconded that the post be offered to Mr Steffan Jones.

RESOLVED TO APPOINT MR STEFFAN JONES TO THE POST OF THE HEAD OF HIGHWAYS AND MUNICIPAL DEPARTMENT

In response to a question regarding mentoring, the Chief Executive expressed that he would discuss the appropriate support needs with the successful applicants in order to assist them with developing their role as the Heads of Department.

The meeting commenced at 1.00pm and concluded at 4:55pm

Agenda Item 5

Meeting:	Chief Officers' Appointment Panel
Date:	11 February 2020
Title:	Annual Review – Council's Pay Policy
Purpose:	Agree on a recommendation to full Council
Author:	Dilwyn Williams – Chief Executive
Cabinet Member:	Councillor Nia Jeffreys

BACKGROUND

1. Since 2012 there is a statutory responsibility on all Councils to adopt a pay policy on an annual basis. This statutory requirement notes that the responsibility for approving a pay policy rests with the full Council.
2. When adopting the pay policy for 2012/13, the full Council resolved to ask the Chief Officers' Appointments Panel to conduct an annual review of the pay policy's future sustainability and to submit recommendations to a meeting of the full Council in March each year.
3. Subsequently, and in accordance with the arrangements adopted since then, the Committee is asked to consider the content of the draft policy for 2020/21 and to submit a recommendation to the meeting of the full Council on the 5th of March.

CHIEF OFFICERS

4. One of the two Corporate Director roles remains vacant since October 2019, further to the decision not to fill that post for the time being. The Committee's members will be aware that a final decision will need to be taken in due course on whether to appoint to that role or not.
5. The current salaries for Chief Officers are based on either the lower quartile or the median for jobs of corresponding size within the National Public Sector Market, as of January 2012. This means that the comparison with jobs of corresponding size in the National Public Sector Market has not been conducted as part of the corporate pay policy review for over seven years. It is likely therefore that in the meantime the salaries of Chief Officers in Gwynedd have fallen below the lower quartile and median for corresponding jobs. It was suggested last year that it would be timely to conduct such an exercise for consideration by the Committee when reviewing for 2019/20. However in view of the financial climate, it was decided not to conduct the review. The financial challenges remain of course, and as a result a review has not been conducted during the past 12 months either. This subsequently means that there is a danger that the salaries of the Council's Chief Officers will lose ground with those salaries paid by neighbouring authorities.
6. Having said that, I'm not comfortable with setting pay for chief officers through comparing with the market alone, as it's apparent from other areas of the public sector that this can lead to unrealistic and unjustified pay increases. There is however a need to be aware of what would happen if we were to lose some of our best leaders and therefore during 2020/21 I intend to conduct a review of the situation so as to report back to this Committee on the risk that we are facing.

7. In 2018 the Joint National Council for Chief Officers and the Joint National Council for Chief Executives agreed on a 2% pay award for both financial years leading up to the end of 2019/20.
8. Chief Officers and the Chief Executive have a contractual right to those pay rises agreed upon nationally and to this end, the draft policy states, **“Chief Officers employed under JNC terms and conditions are contractually entitled to any national JNC determined pay rises and this Council will therefore pay these as and when determined in accordance with current contractual requirements”**. This means that Council approves those pay rises as a result of annually adopting the pay policy. No decision has been taken yet on any increase in pay for 2020/21; the Council will implement any decision taken (backdated to the 1st of April 2020) when we receive confirmation of a decision.

POSTS BELOW CHIEF OFFICER LEVEL

9. During 2018 national representatives on behalf of the Local Government Employers and the recognised workforce representatives agreed on a pay award for the wider local government workforce. The agreement was effective over a period of two years between 2018 and 2020. This led to a general increase of 2% for the years 2018/19 and 2019/20, with staff on the lowest pay grades receiving higher percentages of increase.
10. The discussions on an increase in pay for the year 2020/21 are ongoing, and therefore it is possible that we will not receive confirmation of a decision before the start of the new financial year. The Council will therefore implement any agreement as soon as possible and backdate any increase to the 1st of April 2020.

RECOMMENDATION

11. That the Committee submits the draft 2020/21 Pay Policy Statement to the full Council for approving.



Pay Policy – 2020 / 21

1. INTRODUCTION

The Council is required by Section 38(1) of the Localism Act 2011 to prepare a pay policy statement on an annual basis. These statements must articulate the Authority's own policies towards a range of issues relating to the pay of its workforce, particularly its senior staff (or 'chief officers') and its lowest paid employees. Pay policy statements must be prepared for each financial year. They must be approved by full Council.

The Council recognises the importance of managing pay in a fair, consistent and transparent manner, and the decisions taken in this regard are crucial so as to ensure equal pay and equality within the organisation.

2. PAY POLICY FOR CHIEF OFFICERS

The Council defines its chief officers as being its Chief Executive, Corporate Director and Heads of Department. The Council employs Chief Officers under JNC terms and conditions which are incorporated into their contracts. The JNC for Chief Officers negotiates on national (UK) annual cost of living pay increases for this group. Chief Officers employed under JNC terms and conditions are contractually entitled to any national JNC determined pay rises and this Council will therefore pay these as and when determined in accordance with contractual requirements.

3. SALARIES

The policy concerning the salaries of Heads of Department and Corporate Directors was originally adopted by the full Council in October 2009 and subsequently in June 2012 as part of the overall Policy's annual review. A further partial review was conducted in March 2015 in order to reflect further structural changes within the Council.

It is based on an independent report by Korn Ferry (formerly the Hay Group) and is based on their job evaluation scheme.

The Corporate Director's salary is set just under the lower quartile of the National Public Sector Market, as shown in January 2012, for jobs of corresponding size (lower quartile means that 75% of the sector are paid more).

The Head of Education's salary is based on the median of the National Public Sector Market for jobs of corresponding size, as shown in January 2012 (median means that 50% of the sector are paid more).

The Head of Finance's salary is based on the lower quartile of the National Public Sector Market for jobs of corresponding size, as shown in January 2012 (lower quartile means that 75% of the sector are paid more).

All other Heads of Departments' salaries are based on the median of the National Public Sector Market for jobs of corresponding size as shown in January 2012 (median means that 50% of the sector are paid more).

The Chief Executive's salary has been set in accordance with the scale of £106,702 - £114,903.

The Council does not pay any bonus payments or performance related pay to its Chief Officers. The Council's local terms and conditions of service are relevant to Chief Officers, as for all other staff, unless otherwise noted within individual policies.

The salaries of the Council's Chief Officers are available on the Council's website (See Appendix 1).

The Welsh Government has formed an Independent Remuneration Panel. This Panel has the authority to issue advice and recommendations to local authorities who are considering adjusting the salaries of Chief Officers. Councils must present information to this body prior to taking final decisions on chief officer pay.

4. POSTS UNDER CHIEF OFFICER LEVEL

The Council's pay policy for its remaining staff is based on the Council's equal pay policy and its collective agreement with the recognised trade unions as introduced on the 1st April 2008. The Council's pay structures are subject to equal pay audits.

The Council has adopted the GLPC Job Evaluation Scheme criteria as the basis for setting salary grades for all posts employed under the Local Government Workers' Conditions of Service. The Council is committed to pay salaries in accordance with equal pay legislation and the "single status" agreement between local government employers and the recognised trade unions in 1997.

The Council does not pay any bonus payments nor pay which is based on workers' performance.

The relationship between the remunerations of its Chief Officers and its other employees is designed to secure the ability of the Council to be able to recruit and retain the best suitable candidates to its various posts, whilst maintaining the differentials as defined by the job's evaluation scheme.

The Hutton Review of Fair Pay in the Public Sector recommends a maximum ratio of no more than 1:20 between the highest and the lowest paid. The ratio within the Council is currently 1:6.2. The ratio between the lowest paid and the median for Chief Officers will be 1:4.4.

5. SALARY ON COMMENCEMENT IN POST

The number of increments within each grade reflects the possible period of development in post that could be relevant to individuals on that grade. Members of staff will be appointed to the salary point within the grade which reflects the time required for development in order that they are able to undertake the full responsibilities and duties of the post.

Normally, each employee is appointed to the lowest pay point within the appropriate pay grade. If an employee is already being paid above the lowest pay point or if there is sufficient evidence to demonstrate that the employee is already fully competent to fulfil a number of aspects relating to the post, a manager can, in consultation with the Head of Corporate Support or deputy, appoint on a higher pay point within the appropriate pay grade.

If there is a capacity within the job grade, all members of staff will receive an annual pay increment on the 1st April on condition that they have been appointed to their current post for more than six months prior to that date.

6. RELOCATION EXPENSES

In circumstances when it is essential for staff to relocate so as to undertake their role, the Council can in certain circumstances contribute to cost of relocating. The scheme is relevant to staff appointed as a result of an advertisement or following an internal re-organisation where they have to move house.

The employee's present home must be more than 20 miles from his/her administrative centre in order to consider an application to reimburse costs.

In such circumstances, the cost of the removal of furniture and belongings will be reimbursed subject to accepting the lowest of three estimates as well as the full cost of storing furniture for up to three months. A contribution of up to £3,270 to cover legal expenses, estate agent fees, change of carpets and curtains and other incidental costs of removal will be paid subject to the receipt of supporting invoices.

7. MARKET SUPPLEMENT

The grading of posts is based on the Council's job evaluation scheme as this ensures that the pay system is based on equality as defined in the Equal Pay Act 1970 and ensures consistency in pay decisions. For these reasons any deviation from this system may create a risk to the Council that must be tightly regulated and must be for significant and clear reasons. There must be clear and detailed evidence in order to justify any deviation from this arrangement.

However, there may be occasions when market forces lead to recruitment and/or retention problems related to a particular post. The Council may in exceptional circumstances, and in order to attract and/or retain an individual to a particular post, offer an additional temporary supplement to the salary grade identified through the Authority's grading scheme.

In this respect a market supplement will only be used when there is adequate documented evidence of failure to attract and/or retain an employee to a post. A market supplement is not a permanent addition to the salary. Should circumstances related to the market rate of the post change, or where a member of staff is transferred by the Council to a different post that does not attract a market supplement, their entitlement to the payment will cease and the supplement will be withdrawn in line with agreed notice.

The Council, at its meeting on the 9 October, 2014, approved a market supplement provision of up to £3,000 for Chief Officers where it can be justified by a business case. There is no ceiling set in respect of market supplement levels for other posts.

8. HONORARIA (UNDERTAKING ADDITIONAL RESPONSIBILITIES)

An additional payment can be approved when an employee agrees to temporarily undertake some specific additional duties and responsibilities which are beyond the normal duties and responsibilities of their substantive post. The proportion of higher level of duties and responsibilities must be significant, evaluated at a higher salary level and over an extended period prior to being able to offer temporary additional remuneration.

9. ON-DUTY, STANDBY AND CALL OUT PAYMENTS

The Council is committed to providing services according to the needs of the people of Gwynedd. This means that at times it is necessary for staff to be called upon to carry out work at times outside their normal working pattern and at unsociable times. The Council meets the need for these services by:

- having suitably trained staff on duty to take calls and to decide upon the relevant course of action
- having a suitably trained workforce on standby and able to be called out at short notice to respond to emergency work
- issue payments to staff at suitable rates that recognise the inconvenience and disruption that this work causes.

On duty is defined as a period of time when an officer is on duty outside of their normal hours of work for a specific period of time and is available to respond to calls from residents, emergency services, etc.

Standby is defined as a specific period of time that an officer is **available** for call out outside of their normal hours of work.

In some cases on duty or being on standby will form a part of officers' basic salary and their contract of employment will specifically state this. They will not be entitled to any extra payment whilst on duty or on standby. Payment for other officers will be by way of an additional, separately identified payment that will reflect the level of inconvenience and disruption to the officers' normal home life that is incurred. Officers will receive a minimum of two hours at the appropriate rate of pay for each time they are called out (including travelling time).

On-duty/standby payments will be updated annually in line with the annual salary increase agreed by the National Joint Council for Local Government Services.

10. PROFESSIONAL FEES

One fee per annum will be reimbursed to officers in respect of membership to recognised bodies which are relevant to their professional function and where that membership is a requirement by the Council.

11. CAR USERS

All staff are denoted as casual car users and reimbursements are paid for business travel on HMRC rates.

12. SUBSISTENCE PAYMENTS

Subsistence repayments will be made when travelling out of County for breakfast, dinner, tea and supper up to the maximum of the Council's subsistence allowances on production of receipts. For those whose normal work covers more than one County, e.g. Gwynedd and Môn, "Out of County" is defined as outside that normal area of work.

13. WORKING ADDITIONAL HOURS

Employees, in receipt of basic pay at or below point 22 who are required to work additional hours beyond the 37 hour working week are entitled to receive enhancements at the rate of basic pay at time and a half (alternative arrangements in place for those workers with work patterns where those hours worked are on a fortnightly/monthly or annual basis). Employees paid above point 22 who work beyond the 37 hour week will be paid at their basic rate of pay for those additional hours or will be entitled to time off in lieu, or if the Head of Department has specifically given prior approval to planned work then it is possible to pay at the rate of time and a half.

14. WORKING UNSOCIABLE HOURS

Salary is paid at the basic rate on weekends for work within the 37 hours. Enhanced pay of basic pay and a third to those employees who work between the hours of 10pm and 6am.

Salary is paid in accordance with the national agreement for work conducted on bank holidays and additional statutory days.

15. FIRST AID ALLOWANCE

An annual allowance is paid to employees who act as designated First Aiders.

16. LOCAL ELECTION DUTIES

The Council's fees for payments to its Returning Officer and Deputy Returning Officer for local election duties are included in Appendix 1.

17. SEVERANCE AND RETIREMENT

The Council's severance and retirement schemes are applied equally and fairly to all staff regardless of grade, age or gender and are implemented in accordance with the regulations of the relevant pension schemes. There are no exceptions for Chief Officers. The relevant policies are available on the Council's website.

Full Council will need to approve any severance package that totals a sum that is over and above £100,000. A severance package is defined as a redundancy payment, notice pay and costs to the employer associated with the release of pension.

18. FINANCIAL DETRIMENT SCHEME

Financial detriment is defined as a loss due to a change in salary grade and contractual terms and conditions. The Council provides financial assistance to staff who face financial loss (as a consequence of re-structuring or re-designation of responsibilities) for a period of two years, based on one year on 100% protection and one year on 50% protection from the date that the change in the employment package becomes operational. That financial assistance will cease after two years unless the individual member of staff has in the meantime been appointed to another post where he/she is not facing financial detriment.

19. RE-EMPLOYMENT

The Council will consider each candidate on their own merit and will appoint with a view of achieving the best efficiency for the service and best value for its ratepayers. Such appointment, if made,

would be subject to any abatements stipulated in the Local Government Pension Scheme Regulations.

In accordance with tax law, managers must ensure that any proposed arrangement to pay an individual through a 'contract for services' will be assessed through the HMRC's online tool for confirming employment status. This assessment is to be taken objectively.

20. APPOINTMENT OF NEW CHIEF OFFICER (SALARY OF £100,000 AND ABOVE)

The Full Council will approve any amendment to the salary package of any such post prior to its recruitment. Recruitment to any such post will be advertised externally

Chief Officer Pay as of April 2020**Note: There is no agreement yet on pay increases for 2020/21**

Chief Executive	£106,702 - £114,903
Corporate Director x 2	£86,673 - £96,304
Head of Education	£81,098 - £90,110
Head of Finance	£73,571 - £81,744
Heads of Corporate Support, Economy and Community, Adults, Health and Wellbeing, Children and Supporting Families, Highways & Municipal, Environment, Housing and Property, North and Mid Wales Traffic Agency (Gwynedd Council is the host authority for the agency)	£68,458 - £76,063
Head of Consultancy	£57,827 - £64,254
Monitoring Officer	£58,012 - £60,878

ELECTION PAYMENT SCHEME AS APPROVED BY GWYNEDD COUNCIL

Fees for the general conduct of the election and performance of all duties which a Returning Officer is required to perform under any order or other enactment relating to the election of Councillors		
Returning Officer and Deputy Returning officer Fees	Contested	Uncontested
Returning Officer	125.00	
For the general conduct of the election and performance of all duties which a Returning Officer is required to perform under any order or other enactment relating to the election of Councillors.)
For each Electoral Division, Community/Town Council, Community/Town Council Ward) 75.00
Deputy Returning Officer	85.00	
Specific duties to include attending to receive nomination papers, examining them and adjudicating on their validity; dealing with candidates; notifying candidates of decisions on nominations, publishing statements of persons nominated and attending to receive withdrawals and conducting the counts.)
For each Electoral Division, Community/Town Council, Community/Town Council Ward)
By-Elections		
In any by-election where a Deputy Returning Officer is employed to manage the count:		

For each Electoral Division, Community/Town Council, Community/Town Council Ward	34.00	
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