

## **Council – 27th February 2014**

### **Pay Policy 2014/2015**

**Service Area: Resources**

**Wards: None**

#### **1. Summary of the report**

The Pay Policy provides a framework by which Walsall Council can ensure that the pay and rewards given to all of its employees is fair, equitable and transparent. The Pay Policy supports the Council to attract and retain skilled employees and outlines all payments that can be paid to employees in support of this. There is also a statutory requirement under the Localism Act 2011 for the Council to prepare a Pay Policy Statement on an annual basis. The Pay Policy must include specific details regarding the remuneration of Chief Officers, the remuneration of the lowest paid employees, and the relationship between Chief Officer remuneration, and the remuneration of its employees who are not Chief Officers. This is known as pay dispersal.

Council is required by the legislation (Localism Act 2011) to pass a resolution approving the Pay Policy. It would be unlawful for the Council not to have a Pay Policy and these must be reviewed annually. The Pay Policy is not retrospective and establishes a framework for remuneration on an ongoing basis.

The Council has to ensure that it has an appropriately staffed organisational structure that enables the Council to discharge all of its functions. The Pay Policy reflects the needs of the Council to attract and retain suitable skilled employees within a competitive market place, to ensure fairness and equality in pay and rewards offered, and operate a transparent pay and grading structure.

The Pay Policy Statement provides openness and accountability regarding how the Council pays and rewards its employees and supplements data on Chief Officer salaries already published within the annual accounts and on the Council website.

The 2014/2015 Pay Policy has been updated to reflect the current pay structure and level of remuneration.

Council policy in respect of the recruitment and appointment of Chief Officers is established in the Council's Constitution at part 4.6, as part of the Officer Employment Procedure Rules. Chief Officers are appointed by Council, a committee or sub-committee of Council.

#### **2. Recommendations**

(1) That Council agree the Pay Policy 2014/2015 and the attached appendices

(2)

- a) That Council reaffirms the procedure for the appointment of Chief Officers as set out in the constitution;

OR

- b) That Council considers reserving to itself the power to approve the future level of remuneration in respect of Chief Officers on appointment that would be in excess of £100,000.

#### **4. Financial considerations**

No financial implications arising out of this report.

#### **5. Legal considerations**

As stated previously the Council is required under the Localism Act 2011, section 38(1) to prepare a Pay Policy Statement for the financial year 2014/2015, and each subsequent financial year.

Under section 39 (1) the Councils Pay Policy must be approved by a resolution of Council before it comes into force. The Pay Policy must be prepared and approved before the end of 31 March 2014 and each subsequent statement must be prepared and approved before the end of 31 March immediately preceding the financial year to which it relates.

There is a legal requirement under the Localism Act 2011 for the Council to publish its Pay Policy as soon as is reasonably practicable after the policies approved or amended.

#### **6. Citizen impact**

This policy provides citizens of the borough with clear and transparent data in relation to the total reward package paid to Council employees.

#### **7. Environmental impact**

None.

#### **8. Risk Management issues**

None.

**9. People / Equality issues**

A published fair and transparent Pay Policy will help the Council to facilitate equality in pay across the Council.

An Equality Impact Assessment (EqIA) has been completed on the policy.

**10. Background papers**

Pay Policy 2014/2015 at Appendix 1



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# Pay Policy Statement

## 2014/2015

<b>Document title:</b>	Pay Policy Statement	<b>Owner:</b>	Human Resources
<b>Status:</b>	DRAFT	<b>Version:</b>	1.4
<b>Effective from:</b>	April 2014	<b>Approved on:</b>	TBC
<b>Last updated date:</b>	January 2014	<b>Last updated by:</b>	Strategy & Planning
<b>Purpose:</b>	The Pay Policy Statement sets out Council policy on pay and conditions for senior managers and employees, assisting the Council to attract and retain skilled employees and ensuring compliance with legislative requirements under the Localism Act 2011.		

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- C – Pension Policy Statements



## **1.0 Introduction**

- 1.1 The Pay Policy statement sets out Council policy on pay and conditions for senior managers and employees for the year ending 31<sup>st</sup> March 2015.
- 1.2 The Council aims to attract and retain skilled employees motivated to deliver the priorities of the Council. In determining pay policy for Chief Officers and other employees, the Council is committed to ensuring a fair, equitable and transparent approach. Within this, it is recognised that different approaches maybe required between groups of employees reflecting factors such as difficulties in attracting and retaining key skills.

## **2.0 Key principles**

- 2.1 The Pay Policy Statement outlines the remuneration arrangements within the Council and aims to ensure;
  - That employees pay levels are set and reviewed using a clear, rational and transparent process that meets equal pay legislation.
  - That pay rates are both competitive in the market place, reflect the need to retain key skills and appropriately reward employees for their contribution to the Council's achievements.
  - That pay and reward decisions are affordable and support the provision of a quality public service.
  - That any decisions relating to pay and salary progression are consistent, fair and non discriminatory.
- 2.2 The Council will not promote employees through the grading system nor use other pay mechanisms in order to assist in securing an employee's improved pension entitlement on retirement.

## **3.0 Scope of the statement**

- 3.1 This statement relates to all Council employees (except those on teachers conditions) including Chief Officers and the Chief Executive.

## **4.0 Senior management pay structure**

- 4.1 Senior management are defined for this purpose as the Chief Executive and Chief Officers (as defined under the Localism Act 2011 Part One Chapter 8, section 43(2). Senior management grades are locally agreed salary scales which are reviewed



annually having regard to the JNC pay award for Local Authority Chief Executives and Chief Officers and market conditions. The senior management pay structure is attached at Appendix A.

- 4.2 The aim is to ensure that the Council retains key employees by maintaining pay rates which are competitive in the market and reflect the need to retain key skills.
- 4.3 The salary levels of Chief Officers on appointment are set by elected members at the relevant committee of Council. The Council's Appointments Board approves remuneration levels for the Chief Executive, Executive Directors and Assistant Directors (other than those associated with the National Pay Awards) on appointment, subject to negotiation. The Appointments Board also has delegated authority from council in respect of the actual appointment and dismissal of Executive Directors and Assistant Directors in accordance with the Employment Procedure Rules.
- 4.4 Pay levels are reviewed to take account of any cost of living increase negotiated nationally by the JNC for Chief Officers of Local Authorities Conditions of Services. The last national pay award increase was in April 2008.
- 4.5 The salary details for Chief Officers are published on the Council's website and can be located on the open data pages; <http://opendata.walsall.org.uk/opendata>
- 4.6 The process for recruitment and remuneration of Chief Officers is set out in Part 4.6 of the Council's Constitution.
- 4.7 The Chief Executives total remuneration package includes fees payable for local election duties. Where appropriate fees for European and National elections and referenda are set out and paid by central government.
- 4.8 In relation to the termination of employment of Chief Officers, the Council will consider making appropriate payments where it is in the Council's best interests. Any such payments will be in accordance with contractual or statutory requirements and take into account the potential risks and liabilities to the Council, including any legal costs, disruption to services, impact on employee relations and management time.

Where appropriate, the arrangements are reported to a committee of the council [as required by the Council's Constitution]. Furthermore external auditors are consulted about severance packages where appropriate.

The Council will, of course, have regard to the specific legal requirements which apply to the termination of employment of the Head of Paid Service, the Section 151 Officer and the Monitoring Officer.



## **5.0 Other employees pay structure (including the lowest paid employees)**

- 5.1 Remuneration for other employees is normally determined by the Council's Job Evaluation (JE) scheme which covers all employees on NJC Local Government Services (Green Book) terms and conditions of service, see 5.3 below. These employees have their pay based upon the NJC pay and grading structure which is extended locally to incorporate 68 spinal column points (scp) and is attached at Appendix B.
- 5.2 The Council's pay and grading structure ranges from G1 to G16 and covers scp 005 – 068. Each grade range contains a number of scp and this allows for annual incremental progression up to the top of the grade.
- 5.3 The Council's Job Evaluation scheme is based on the NJC prescribed Job Evaluation scheme for posts graded G1 to G13 and the Hay Group Job Evaluation scheme for posts graded G14-G16. Both schemes comply with equal pay requirements.
- 5.4 Apprentices (on training contracts) are paid £5,170.50 in line with the national minimum apprenticeship rate of pay.
- 5.5 Pay levels are reviewed to take account of any cost of living increase negotiated nationally by the NJC for Local Government Services. The last national pay award increase was in April 2013.

## **6.0 Non-standard terms and conditions**

- 6.1 Employees transferring into the Council under TUPE arrangements have the right to retain their existing terms and conditions and as such retain the pay scales applicable to their employment prior to transfer.
- 6.2 Additionally some specialist employees, mainly in education related services, such as Educational Psychologists, the Youth Service and employees at Walsall Adult & Community College are paid on the national pay scales relevant to their specialist employment.

## **7.0 Starting pay**

- 7.1 Employees are usually paid on an incremental scale and will normally be appointed at the minimum point of the pay grade for that post. However, in certain circumstances it may be appropriate to appoint external candidates to a higher point within the pay grade to support the appointment of high calibre candidates, for example, where existing salary payments exceed or are equivalent to those being offered by the Council. Such practice must be objectively justified and within current budgetary constraints.





- 7.2 Internal appointments are made at the minimum point of the pay grade where being appointed into a promotional post or at the minimum point of advantage where grade boundaries overlap with the new higher grade. If appointments are made to equivalent graded posts then the employee will move across on their existing scp with no further increase until the normal incremental progression is due. Where employees are appointed into posts where there is a grade reduction, they will be appointed at the top of the grade unless their current scp is already below this level in which case they will transfer across on their existing scp with no further increase until the normal incremental progression is due.

## **8.0 Pay progression**

- 8.1 Where employees are on annual incremental scales progression within grade boundaries is automatic.
- 8.2 Annual incremental pay progression takes place up until the maximum scp within the grade for the post is achieved. Thereafter the employee is only eligible to receive the annual cost of living award as negotiated by the appropriate bodies.
- 8.3 Increments are due on the 1<sup>st</sup> April each year, or 6 months after appointment where the employee has been in the post for less than 6 months by 1<sup>st</sup> April, i.e. if the employee is appointed between 1<sup>st</sup> October and 31<sup>st</sup> March the increment will be paid after 6 months in post and then annually on the 1<sup>st</sup> April thereafter up to the maximum scp within the grade.
- 8.4 Employees are able to request re-evaluations of the grade of their post where they believe that work duties have substantially altered. All re-evaluation requests will be graded using the Council's JE scheme in line with the Job Evaluation & Grading Procedure that provides the right of appeal against any grade outcomes.

## **9.0 Performance related pay (PRP)**

- 9.1 The Council does not operate a performance related pay scheme or any type of bonus pay scheme.

## **10.0 Pay protection**

- 10.1 Pay protection will be granted where applicable for a maximum period of 12 months, in cases where the Council is enforcing a reduction in an employees pay. Pay protection is only applicable to the salary grade of the post and not the hours an employee works. Any loss in annual leave due to grade reductions will also be protected for a 12 month period.



## **11.0 Market Supplements**

- 11.1 The Council recognises that at times it may be difficult to recruit new employees or retain existing employees in certain key posts. To ensure that the Council attracts and maintains a skilled and experienced workforce, supplements may be paid in addition to the grade of the post in accordance with the Council's Market Supplements Procedure.

## **12.0 Relocation and temporary accommodation allowances**

- 12.1 Relocation and temporary accommodation expenses may be paid to employees to cover costs associated with relocating in order to take up new employment with the Council. These expenses are paid in accordance with the Council's Relocation and Temporary Accommodation Expenses Procedure.

## **13.0 Honorarium payments**

- 13.1 Honorarium payments are additional monies paid to employees to reward them for undertaking additional or special work activities that would be graded at a higher level or to recompense employees for undertaking acting up arrangements into an alternative and usually higher graded post.
- 13.2 All honorarium payments are made in line with the Council's Honorarium payments guidance and calculated in accordance with the Council's JE scheme where relevant to ensure principles of fairness and equality are maintained.
- 13.3 Honorarium payments are temporary by nature and must be reviewed regularly.

## **14.0 Allowances/Expenses**

- 14.1 Overtime – Any overtime worked over 37 hours regardless of when the hours are worked will be paid at time plus 1/2. This is usually only applicable to those on grades G6 or below, however in exceptional circumstances and where pre-approved by the Executive Director, can be extended to those above G6. Overtime is not normally paid to those on senior management grades. All overtime must be agreed by the relevant manager and closely monitored.
- 14.2 Unsocial hours payment – where employees work unsocial hours (Monday – Saturday between the hours of 22.00 – 06.00 and all day on Sunday) they will receive additional unsocial hours payments based on the percentage of their standard contractual 37 hour working week worked in unsocial hours and this will equate to either a 5%, 10% or 15% enhancement to their basic pay.
- 14.3 Callout/Standby – payments are made to reflect the unsociability of working in particular circumstances and will be locally agreed.



- 14.4 Professional subscriptions – these will be paid by the council where it is an essential requirement of the job. Essential would normally relate to a statutory reason, not a selection criteria that could be unfairly restrictive in obtaining good candidates and conflict with equality of opportunity.
- 14.5 Car allowances - where the Council requires and authorises an employee to use a private car on official business, the employee will receive an allowance for the use of their motor vehicle(s). The Council will decide whether the allowance is paid in line with the casual or essential car user allowances and these are attached at Appendix B.
- 14.6 There are separate car allowance arrangements in place for Executive Directors and they receive a lump sum payment equivalent to 2.3577% of their annual salary.

## **15.0 Pensions**

Employees of the Council are eligible to join the Local Government Pension Scheme. The benefits and contributions payable under the scheme are set out in the Local Government Pension Scheme (Benefits, Membership and Contributions) Regulations 2007 (as amended).

The Council's current published statements relating to pensions are contained at Appendix C of this document. The statements cover the Council's policy on making discretionary payments on early termination of employment under regulation 7 of The Local Government (Early Termination of Employment) (Discretionary Compensation) (England and Wales) Regulations 2006. It also covers the Council's policy on increasing an employee's total pension scheme membership and on awarding additional pension under Regulation 66 of The Local Government Pension Scheme (Administration) Regulations 2008.

## **16.0 Pay multiples (or pay dispersion)**

- 16.1 There is no formal mechanism for direct comparison between pay levels of the wider workforce with senior manager pay and there is no Council policies on reaching or maintaining a specific pay multiple.
- 16.2 The pay multiple recommended for adoption by the Hutton Review of Fair Pay in the Public Sector is the ratio between the salary of the highest paid employee and the median full time equivalent (fte) salary of the organisation.
- 16.3 The Council's current (December 2013) pay multiple from the highest pay (£194,271 per annum) to the median pay (£ 21,067 per annum) is 1:9. This pay multiple is the same ratio as the previous year.



- 16.4 The Council's current (December 2013) pay multiple from Chief Officers within the Corporate management Team (£117,186 per annum) to the median pay (£21,067 per annum) is 1:5. This pay multiple is the same ratio as the previous year.
- 16.5 The Council will monitor these ratios on an annual basis to ensure that there is not undue wage inflation in senior management pay rates.



**Walsall MBC Payrolls**  
**JNC for Chief Executives of Local Authorities**  
**JNC for Chief Officers of Local Authorities**

Q

sp pt	Trent sp pt	1 Apr 13		1 Apr 08		1 Apr 07		1 Apr 06		1 Apr 05									
		2.50%	pm	2.450%	pm	2.48%	pm	2.95%	pm	2.95%	pm								
Chief Executive				189533	15794.42	185000	15416.67	159324	13277.00	154758	12896.50								
	021	194271	16189.25																
Corporate Board				114328	9527.33	111594	9299.50	108900	9075.00	105780	8815.00								
	011	117186	9765.50																
Director				85293	7107.75	83253	6937.75	81243	6770.25	78915	6576.25								
1	001	85293	7107.75																
2	002	86937	7244.75																
3	003	88584	7382.00																
4	004	90229	7519.08																
5	005	91879	7656.58																
Assistant Director												74317	6193.08	72540	6045.00	70788	5899.00	68760	5730.00
1	031	76175	6347.92																
2	032	79102	6591.83																
3	033	82032	6836.00																
4	034	84961	7080.08																
5	035	87895	7324.58	85751	7145.92	83700	6975.00	81678	6806.50	79338	6611.50								
				82889	6907.42	80907	6742.25	78954	6579.50	76692	6391.00								

Pt 021 was £163,266 until 6 January 2008

14 Jan 14

## Spinal Column Point Salaries April 2013

## Appendix B

[http://inside.walsall.gov.uk/pay\\_and\\_grading\\_booklet\\_20pp\\_final.pdf](http://inside.walsall.gov.uk/pay_and_grading_booklet_20pp_final.pdf)

\* note Hourly rates are shown rounded down to whole penny

Grade	SCP	Annual Salary	Monthly Rate	Weekly Rate	Hourly Rate
NJC grades					
G1		005 12435	1036.25	238.47	6.44
		006 12614	1051.17	241.91	6.53
		007 12915	1076.25	247.68	6.69
	G2	008 13321	1110.08	255.47	6.90
G1		009 13725	1143.75	263.21	7.11
		010 14013	1167.75	268.74	7.26
		011 14880	1240.00	285.36	7.71
G3		012 15189	1265.75	291.29	7.87
	G2	013 15598	1299.83	299.13	8.08
		014 15882	1323.50	304.58	8.23
		015 16215	1351.25	310.97	8.40
	G4	016 16604	1383.67	318.43	8.60
G3		017 16998	1416.50	325.98	8.81
		018 17333	1444.42	332.41	8.98
		019 17980	1498.33	344.82	9.31
G5		020 18638	1553.17	357.44	9.66
	G4	021 19317	1609.75	370.46	10.01
		022 19817	1651.42	380.05	10.27
		023 20400	1700.00	391.23	10.57
	G6	024 21067	1755.58	404.02	10.91
G5		025 21734	1811.17	416.81	11.26
		026 22443	1870.25	430.41	11.63
		027 23188	1932.33	444.70	12.01
G7		028 23945	1995.42	459.21	12.41
	G6	029 24892	2074.33	477.38	12.90
		030 25727	2143.92	493.39	13.33
		031 26539	2211.58	508.96	13.75
	G8	032 27323	2276.92	524.00	14.16
G7		033 28127	2343.92	539.42	14.57
		034 28922	2410.17	554.66	14.99
		035 29528	2460.67	566.29	15.30
G9		036 30311	2525.92	581.30	15.71
	G8	037 31160	2596.67	597.58	16.15
		038 32072	2672.67	615.07	16.62
		039 33128	2760.67	635.33	17.17
	G10	040 33998	2833.17	652.01	17.62
G9		041 34894	2907.83	669.20	18.08
		042 35784	2982.00	686.26	18.54
		043 36676	3056.33	703.37	19.01
G11		044 37578	3131.50	720.67	19.47
	G10	045 38422	3201.83	736.86	19.91
		046 39351	3279.25	754.67	20.39
		047 40254	3354.50	771.99	20.86
	G12	048 41148	3429.00	789.13	21.32
G11		049 42032	3502.67	806.09	21.78
		050 42972	3581.00	824.12	22.27
		051 43901	3658.42	841.93	22.75
G13		052 44960	3746.67	862.24	23.30
	G12	053 46043	3836.92	883.01	23.86
		054 47126	3927.17	903.78	24.42
		055 48224	4018.67	924.84	24.99
G13		056 49316	4109.67	945.78	25.56
G14		061 54959	4579.92	1054.00	28.48
		062 56107	4675.58	1076.02	29.08
	G15	063 57917	4826.42	1110.73	30.01
G14		064 60814	5067.83	1166.29	31.52
		065 63708	5309.00	1221.79	33.02
G16		066 66728	5560.67	1279.71	34.58
	G15	067 69626	5802.17	1335.29	36.08
G16		068 72521	6043.42	1390.81	37.58

Midpoint (Average Cost) of Salary Grades		
Grade	SCP	Midpoint £
Grade 1	pts 5-9	12821
Grade 2	pts 8-13	14454
Grade 3	pts 12-17	16081
Grade 4	pts 16-21	17812
Grade 5	pts 20-25	20162
Grade 6	pts 24-29	22878
Grade 7	pts 28-33	26092
Grade 8	pts 32-37	29229
Grade 9	pts 36-41	32594
Grade 10	pts 40-45	36225
Grade 11	pts 44-49	39798
Grade 12	pts 48-53	43509
Grade 13	pts 52-56	47134
Grade 14	pts 61-64	57449
Grade 15	pts 63-67	63759
Grade 16	pts 66-68	69625

Holidays		
Grade	Holidays	5 years service
Grade 1-4	24	29
Grade 5-6	25	30
Grade 7-9	27	32
Grade 10+	28	33

Official public/statutory holidays 2013-14

1/4, 6/5, 27/5, 26/8, 25-27/12, 1/1

The leave year runs from 1st April - 31st March unless your contract states alternative arrangements; however, employees who commenced employment with the Council after 1st April 2003 have a personal leave year, which runs from their start date.

<http://www.lge.gov.uk/lge/core/page.do?pagelid=119179>

## Car Allowances Effective from 1 April 2011

Essential Users	0-999cc	1000-1199cc	Over 1199cc
Lump Sum per annum	£846	£963	£1,239
Lump Sum per month	£70.50	£80.25	£103.25
per mile 0 - 8,500 miles	36.9p	40.9p	50.5p
per mile after 8,500 miles	13.7p	14.4p	16.4p
Casual Users			
per mile 0- 8,500 miles	46.9p	52.2p	65.0p
per mile after 8,500 miles	13.7p	14.4p	16.4p
VAT	1.567p	1.727p	1.881p



# Walsall Council



# Walsall Council

## **Pension Policy Statement: 1 April 2010**

### **Local Government Pension Scheme (LGPS) Regulations Policy Statement for all eligible employees**

Under Regulation 66 of the LGPS Regulations 2008 each scheme employer must publish and keep under review a Statement of Policy to explain how it will apply certain discretions allowed under the Pension Regulations. Where references are made, A Reg refers to the "Administration" Regulations and B Reg to the Benefit Regulations

This statement is applicable to all employees of Walsall Council who are eligible to be members of the LGPS.

Before the exercise of any discretion it will be necessary in each individual case to consider the full financial cost implications to the council and the Pension Fund.

**All other past policies and discretions will be revoked following the approval of this policy. The discretions detailed in this policy will be the only ones that will apply from 1 April 2010.**

### **Policy Statement**

#### **PART 1 - DISCRETIONS TO BE APPLIED CONTAINED IN THE ADMINISTRATION REGULATIONS**

**At the start of the employment contract**

##### **1. Regulation 15 A: Reg: Re-employed and rejoining deferred members**

**No policy change.**

<b>Explanation</b> This discretion allows the extension of the 12 month time limited election to aggregate previous periods LGPS service.	<b>Council Policy</b> The council has <u>NOT</u> adopted this discretion.
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##### **2. Regulation 25 A: Reg: Shared cost AVC (additional voluntary contributions)**

**No policy change.**

<b>Explanation</b> This discretion allows the council to maintain and contribute to an employee's Additional Voluntary Contribution Scheme	<b>Council Policy</b> The council has <u>NOT</u> adopted this discretion.
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### **3. Regulation 83 A Reg: Power to allow inwards transfer values to be accepted after 12 months' Membership**

#### **No policy change.**

<b>Explanation</b> This discretion allows the extension of the 12 month time limited transfer of pension rights from previous funds to be extended	<b>Council Policy</b> To allow this discretion in limited circumstances only. Each specific case will be judged equally and fairly on its own merits having fully considered service delivery and financial costs.
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## **PART 2 - DISCRETIONS TO BE APPLIED CONTAINED IN THE BENEFITS REGULATIONS**

### **At the start of the employment contract**

#### **1. Regulation 3 B Reg: Contributions Banding payable by active members**

#### **No policy change.**

<b>Explanation</b> Employers will determine the contribution rate payable based on whole time pensionable pay for existing members at 1 April 2010 or at the start of their membership and where there is a material change in pay	<b>Council Procedures – How the Regulation is to be administered</b> The council will review the contribution rate bands at six monthly intervals. Account will be taken when determining the rate of any impending pay award
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### **Discretions to be applied during employment**

#### **2. Regulation 12: B Reg: Power to increase total membership of Active Members (augmentation)**

#### **No policy change.**

<b>Explanation</b> This discretion allows for an employees membership to be increased but any increase must not exceed, including earlier periods of added years, 10 years	<b>Council Policy</b> The council has <u>NOT</u> adopted this discretion.
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#### **3. Regulation 13: B Reg: Power to award additional pension**

#### **No policy change.**

<b>Explanation</b> This discretion allows the employer to award a scheme member additional pension benefits of not more than £5,000 a year, payable from the same date as scheme benefits.  This is in addition to Regulation 12 B Reg	<b>Council Policy</b> The council has <u>NOT</u> adopted this discretion.
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#### 4. Regulation 22 A Reg: Applications to make absence contributions

##### No policy change.

<b>Explanation</b> Employer has the discretion to extend the period of 30 days for a period of unpaid absence if person applies in writing	<b>Council policy</b> The council has <u>NOT</u> adopted this discretion.
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#### Discretions to be applied at the termination of employment

#### 5. Regulation 18 B Reg: – Flexi Retirement

##### This is a revised policy – due to Regulation change.

<b>Explanation</b> A member who is aged 55 or over and with their employers' consent reduces their hours/or grade, can, but only with the agreement of the employer, make an election to the administering authority (West Midlands Pension Fund) for all or part payment of their accrued benefits without having retired from that employment.  If payment occurs before the age of 65, the benefits are actuarially reduced.  The employer may chose to waive the reduction in whole or part. The cost of the waiving will have to be paid to the fund.	<b>Council Policy</b> The council will consider a waiver in exceptional circumstances only.  The criteria for exceptional circumstances are defined in the detailed guidelines.  Each specific case will be judged equally and fairly on its own merits having fully considered service delivery and financial costs.
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#### 6. Regulation 30 B Reg: Early payment of Retirement benefits at the employees request

##### This is a revised policy due to Regulation change.

<b>Explanation</b> From age 55 members have the right to apply for early payment of their retirement benefits. Payment will be subject to the employers consent.  For a member who joined the Scheme prior to 1 October 2006 where the members age and pension service (in whole years) equals less than 85 then reduced benefits would be payable.  For a member who joined the scheme on or after 1 October 2006, then reduced benefits would be payable if taken before	<b>Council Policy</b> a) The council has adopted this regulation to be used in exceptional circumstances only.  The criteria for exceptional circumstances are defined in the detailed guidelines.  b) Where early retirement is granted the conditions opposite will apply.  Each specific case will be judged equally and fairly on its own merits having fully considered service delivery and financial costs.
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age 65	
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## 7. Regulation 30 B Reg – Former Members Request for Early Payment of Benefits

**This is a revised policy due to Regulation change.**

<p><b>Explanation</b></p> <p>From age 55 former members with deferred benefits have the right to apply for early payment of their retirement benefits. Early payment will be subject to the employers consent.</p> <p>For a member who joined the Scheme prior to 1 October 2006 where the members age and pension service (in whole years) equals less than 85 then reduced benefits would be payable.</p> <p>For a member who joined the scheme on or after 1 October 2006, then reduced benefits would be payable if taken before age 65</p>	<p><b>Council policy</b></p> <p>The council has adopted this regulation to be used in exceptional circumstances only.</p> <p>The criteria for exceptional circumstances are defined in the detailed guidelines.</p> <p>The council will consider each specific case which will be judged equally and fairly on its own merits having fully considered service delivery and financial costs.</p>
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## **PART 3 - EARLY TERMINATION OF EMPLOYMENT (DISCRETIONARY COMPENSATION)**

### **1. Regulation 5 of the Local Government (Early Termination of Employment) (Discretionary Compensation) Regulations 2006**

**No limit on weekly pay for calculation of redundancy payment.**

**No policy change**

<p><b>Explanation</b></p> <p>The council may decide to calculate a redundancy payment entitlement as if there had been no limit on the amount of the week's pay used in the calculation</p>	<p><b>Council Policy</b></p> <p>The council has decided to adopt this discretion and base redundancy payment calculations on an unrestricted week's pay</p>
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### **2. Regulation 6 of the Local Government (Early Termination of Employment) (Discretionary Compensation) Regulations 2006**

**Additional lump sum compensation payment**

**No policy change**

<p><b>Explanation</b></p> <p>A one-off lump sum compensation payment may be awarded to an employee up to a maximum value of 104 weeks pay (2 years) inclusive of any redundancy payment made.</p>	<p><b>Council Policy</b></p> <p>The council has decided to adopt this discretion in part and will award an additional lump sum compensation payment equal to the value of the statutory redundancy payment – maximum payment 30 weeks – but only in cases of some compulsory redundancies</p>
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	<p>Each award will be subject to a cap to be paid to an employee who is paid less than the full time equivalent of scale point 29.</p> <p>Each specific case will be judged equally and fairly on its own merits having fully considered service delivery and financial costs.</p>
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## **PART 4 – INJURY ALLOWANCES**

### **1. Local Government Discretionary Payment Regulations 1996 - Part V –**

#### **This is a new policy decision**

<p><b>Explanation</b></p> <p>The council operates The Walsall Council Injury Allowance Scheme under the permissive powers of The Discretionary Payment Regulations 1996.</p> <p>The scheme is unique to Walsall Council employees and is operated within the regulatory guidelines.</p>	<p><b>Council Policy</b></p> <p>The council has decided that all claims are to be submitted to and agreed by an Injury Allowance Panel. The panel will consist of The Head of Legal Services, The Head of Corporate Finance and the Head of Human Resources and Development or their nominees.</p> <p>Both temporary and permanent allowances are available within the terms of reference of the scheme. Each award will be judged on the relevant evidence presented to the panel.</p> <p>Payment will be made from the service budget.</p> <p>There is no separate internal appeals process as designated by thru Injury allowance panel.</p>
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## **PART 5 – APPEAL PROCESS**

### **1. Regulation 57 A Reg: Internal Dispute Resolution Procedure (IDRP)**

#### **No change proposed.**

<p><b>Explanation</b></p> <p>Responsibility for determination of LGPS disputes under the first stage of the procedure now lies with a “Specified Person” at the employing authority.</p> <p>The Executive Director (Resources) is the appointed Specified Person for the purposes of the Internal Dispute Resolution Process. If this presents a conflict of interest when the complaint relates to a member of the Resources</p>	<p><b>Council Policy</b></p> <p>Any disputes about decisions made under the LGPS should be sent in writing to:</p> <p>The Executive Director (Resources) The Council House Walsall Council WS1 1TW <b>or</b></p> <p>The Chief Executive if the complaint</p>
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<p> directorates, the Chief Executive will act as the Specified Person </p>	<p> relates to member of the Resources Directorate. </p>
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**Guidance on how to apply the policy will form part of the policy statement**

**February 2010**