

**Personnel Committee - 24 January 2022
(For subsequent approval by Full Council 24 February 2022)**

Pay Policy Statement and Living Wage (LW) 2022/2023

1. Purpose of the report

- 1.1 The purpose of this report is to seek Personnel Committee approval for the updated Pay Policy Statement 2022/2023 (appendix 1); including the decision to pay the revised recommended Living Wage (LW) rate with effect from 01 April 2022 (appendix 2), prior to the policy being considered by Full Council.

2. Recommendations

- 2.1 That Personnel Committee recommends Full Council to approve the Pay Policy Statement for 2022/2023, endorsed by CMT at its meeting of 06 January 2022.
- 2.2 That Personnel Committee recommends Full Council to approve the continuation of the living wage as detailed in the Pay Policy (appendix 1, section 6.5) and section 4.2, option a) of this report, endorsed by CMT at its meeting of 06 January 2022.

3. Background Information

- 3.1 Under the Localism Act 2011 the Council has to prepare a Pay Policy Statement each financial year outlining policies in relation to the level of remuneration for all employees from the Chief Executive to the lowest paid employees.
- 3.2 The 2022/2023 Pay Policy has been updated to reflect the current pay structure and level of remuneration across the Council.
- 3.3 The 2022/2023 national pay awards for NJC, Soulbury, JNC for Youth and Community Workers and JNC for Chief Officers once confirmed will be automatically implemented for relevant employees as previously agreed by Personnel Committee (22 January 2019) and added to the Pay Policy appendices at such a time as implemented. At the time of writing the pay awards for 2021/22 and 2022/23 have yet to be agreed once these details have been confirmed they will be incorporated into the Pay Policy.
- 3.4 The 2022/2023 Pay Policy includes the following amendments and minor clarifications;
 - i) Removal throughout of any reference to the 1% pay reduction from the previous legacy of the 2017 Terms and Conditions review, following Personnel Committee's decision (15 March 2021) to remove the 1% pay reduction previously implemented (thereby re-instating national

- pay scales) effective 01 April 2021 in recognition for staffs hard work and resilience throughout the Covid Pandemic.
- ii) Apprentice rates amended to reflect Personnel Committee's decision (15 March 2021), whereby apprentices received a 1% uplift on national minimum wage (when all other staff had the 1% pay reduction removed) effective 01 April 2021 [refer to Pay Policy appendix 1, section 6.4, and appendix C];
 - iii) Inclusion of reference to the Kickstart Scheme (new government training/employment scheme reimbursed by DWP) which will be paid on National Minimum Wage only, with no eligibility to the living wage allowance [refer to Pay Policy appendix 1, section 6.5];
 - iv) Clarification on starting pay and incremental progression for internal appointments moving to a new job on the same or lower grade [refer to Pay Policy appendix 1, sections 8.0 and 9.0];
 - v) Removal of Executive Director approval for professional fees to be paid, as reimbursement will be processed through One Source moving forward and will therefore be approved by the manager with the appropriate salary level authorisation [refer to Pay Policy appendix 1, section 16.6];
 - vi) Addition of a section for long service awards. Long service awards have been in place for many years and there is no change to current practice, inserting reference into the policy makes current practice transparent [refer to Pay Policy appendix 1, section 17.0];
 - vii) Reference to pending changes in pension legislation which did not go ahead in April 2021 has been removed. However, reference to the NHS Pension Scheme now accessible for Public Health roles has been added [refer to Pay Policy appendix 1, section 19.0].

4. Options for application of the Living Wage (LW)

- 4.1 The council have been paying the Living Wage, reviewed annually since April 2015. Appendix 2 provides background information on the Living Wage and its application within Walsall Council
- 4.2 There are three options available to Personnel Committee in regards to the Living Wage.
 - a) Continue to pay an allowance for 2022/2023 to existing roles (including casual roles and higher and degree level Apprenticeships) that are below the Living Wage. This will mean the minimum rate of pay will be £9.90 per hour with effect from 1st April 2022. This will include all Walsall Council employees (excluding interns, intermediate and advanced level apprentices, those on the Kickstart Scheme; those schools who decide not to apply the Living Wage and those schools, which are Voluntary Aided, Foundation or Academies).
 - b) Freeze the current allowance paid at £9.50 and review annually to see if this decision should be amended.
 - c) Cease the living wage allowance and revert to the appropriate pay point within the relevant pay structure and review annually to see if this should be re-introduced.

5. Financial Implications

5.1 If option a) at 4.2 is adopted, based on the current structure as at 31 October 2021, there is a potential financial impact, as there will be 23 employees plus casual workers and 10 higher level apprentices who will fall below the living wage rate of £9.90 per hour. The additional cost in 2022/2023 in applying the living wage increase is £10,453 plus on costs excluding casuals and the cost of any new employees commencing their employment from the 1st April 2022.

If option b) at 4.2 is adopted the Council will not see any additional financial pressures.

If option c) is adopted and all employees revert, back to their substantive salary the Council will make a saving of approximately £11,537.

5.2 All costings are based on current pay-scales plus the anticipated NJC pay award for 2021/22 (based on a minimum award of 2.75% on SCP1 and 1.75% on SCP2 and above), and taking into account incremental progression due on 1 April 2022. However, this does not take into account any national pay award for 2021/22 agreed above 2.75% on SCP1 and 1.75% on SCP2 and above, nor does it take into account the national pay award for 2022/2023 (where applicable) as these have not yet been confirmed.

5.3 Should option a) be agreed the budget pressure will be funded as part of the annual review of the pay budget.

6. Legal Considerations

6.1 The Localism Act 2011 introduced the concept of increased accountability over senior officer pay in local government by requiring councils to prepare and publish a pay policy statement every financial year, which is required to meet various statutory requirements as set out below. In performing this function the council must have regard to any guidance issued by the Secretary of State for the Department of Communities and Local Government. A pay policy statement for a financial year must set out the authority's policies for the year relating to; the remuneration of its chief officers; the remuneration of its lowest-paid employees, and the relationship between the remuneration of its chief officers, and the remuneration of its employees who are not chief officers. In addition the statement must state the definition of "lowest-paid employees" adopted by the authority for the purposes of the statement, and the authority's reasons for adopting that definition. The statement must include the authority's policies relating to the level and elements of remuneration for each chief officer; remuneration of chief officers on recruitment; increases and additions to remuneration for each chief officer; the use of performance-related pay for chief officers; the use of bonuses for chief officers, the approach to the payment of chief officers on their ceasing to hold office under or to be employed by the authority; and the publication of and access to information relating to remuneration of chief officers.

- 6.2 One of the key objectives of the primary legislation and subsequent statutory guidance is to provide local accountability through councillors having an input into how decisions on remuneration for chief officers are made. The 2012 statutory guidance stated that full council or a meeting of members should be offered the opportunity to vote before large salaries are offered in respect of a new appointment. It provided for a notional threshold of £100,000 or above. The 2013 statutory guidance, which supplemented the 2012 guidance, extended this requirement to severance packages of £100,000 or above. On the 1st June 2015 full council delegated the determination of severance packages to the relevant committee. The objective of increasing transparency in the council's approach to pay is achieved through the publication of the pay policy statement itself, which itself builds upon the requirement to publish senior employees remuneration under Regulation 4 Accounts Audit (Amendment No 2) (England) Regulations as part of its published salaries information, and more latterly the Local Government Transparency Code 2014.
- 6.3 Council policy in respect of the recruitment and appointment of Chief Officers is set out at Part 4.6 of the Council's Constitution, Officer Employment Procedure Rules, whereby the Council has historically delegated the power to approve remuneration levels for the Chief Executive, Executive Directors and Directors to the relevant committee since 2004. Therefore councillors have always had a significant input on the appointment of chief officers and their remuneration. As previously stated this is set out in the council's constitution which is a public document. All of these appointments are also subject to the well-founded objection process involving Members of the Executive.

7. Risk Management

- 7.1 An equality impact assessment is attached (appendix 3).

8. People

- 8.1 There is no direct impact on our citizens as a result of this procedure. The procedure is however, part of the employment framework that helps to ensure that residents of Walsall get the best possible services from council employees.

9. Consultation

- 9.1 The Pay Policy Statement 2022/23 has been consulted upon with senior managers across the Council between 04 November to 19 November 2021. Feedback led to some minor wording amendments. Trade Unions nationally are in favour of paying the real living wage.
- 9.2 The Pay Policy Statement was endorsed by CMT at its meeting of 06 January 2022.

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10 January 2022

Sponsoring Director

AUTO SIG

Name of – Executive Director

(Date)

Appendix 1

Pay Policy Statement 2022/2023



Walsall Council

Version Control

Document title	Pay Policy Statement 2022/2023		
Owner	Human Resources	Status	Draft
Version	11.0	Approved on	TBC
Effective from	01/04/2022	Review date	31/03/2023
Last updated	23/11/2021	Last updated by	HR Strategy and Planning
Purpose	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.		

This policy links to:

- Our Council Plan
- Walsall Proud
- Job Evaluation & Grading Policy
- Redeployment Policy
- Market Supplements Policy
- Walsall Council Terms and Conditions Document (Orange Book)
- Standby and Call Out Guidance
- Reimbursement of Personal Expenses Policy
- Workforce Strategy
- Behaviour & Standards Framework
- Relocation and Temporary Accommodation Expenses Policy
- Recruitment and Selection Policy
- Joint Negotiating Committee for Local Authority Chief Officers Conditions of Service Handbook
- Retention Payments Policy

This list is not exhaustive.

For further advice or guidance on this policy, or if you would like this information in another language or format please contact:

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1.0 Introduction

- 1.1 Walsall Council is PROUD. We are proud of our past, our present and for our future. The council is committed to reducing inequalities and ensuring all potential is maximised and its employment policies, procedures and guidelines are designed to support this vision and deliver the council's priorities.
- 1.2 The council is committed to creating an environment that provides opportunities for all individuals and communities to fulfil their potential. This policy provides a framework in which employees will be supported to deliver the council's priorities in line with the council's expected behaviours and values; professionalism; leadership; accountability; transparency and ethical.
- 1.3 The council's values and behaviours will be at the core of everything the council deliver and through a culture of continuous improvement the council will increase performance, efficiency and champion the design of services to meet the needs of customers. As a digital by design council, employees will be empowered to deliver new ways of thinking and new ways of working, encouraging innovation and creativity in a learning environment. The council is committed to technological investment to deliver transformation in order to improve the efficiency and effectiveness of its services, both internally and externally.
- 1.4 This policy framework promotes the council's strategic priority of internal focus ensuring all council services are effective and efficient and helps embed the behaviours and values expected of all employees as part of the Behaviour and Standards Framework.
- 1.5 The Pay Policy Statement sets out council policy on pay and conditions for senior managers and employees for the year ending 31 March 2023.

2.0 Scope

- 2.1 This policy applies to all council employees, including Directors, Executive Directors and the Chief Executive, as well as fixed term and temporary employees and casual workers.
- 2.2 With the exception of;
 - 2.2.1 Employees on teachers' pay & conditions and educational support staff (employed directly by the school and subject to the School Staffing (England) Regulations (2009)) who are covered separately by the Schools Model Pay Policy.
 - 2.2.2 Unattached Teachers on Teachers Pay and Conditions who are covered separately by the Unattached Teachers Pay Policy.

- 2.3 This policy does not apply to contractors, consultants, agency workers or any self-employed individuals working for the council.

3.0 Principles

- 3.1 The council aims to attract and retain skilled employees motivated to deliver the priorities of the council. In determining the pay policy for Chief Officers and other employees, the council is committed to ensuring a fair, equitable and transparent approach to pay. Within this, it is recognised that different approaches may be required between groups of employees reflecting factors such as difficulties in attracting and retaining key employees and ensuring valuable skills are retained.
- 3.2 The Pay Policy Statement outlines the remuneration arrangements within the council and aims to ensure:
- That employee's 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 support the provision of valued public services and are affordable.
 - That any decisions relating to pay and salary progression are consistent, fair and non-discriminatory.
- 3.3 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 or any other allowance/pay (such as maternity or redundancy).

4.0 Accountabilities

- 4.1 Managers are accountable for the following;
- Applying this policy consistently, fairly and objectively in accordance with the council's vision and purpose and clearly demonstrate the council's management behaviours and values, seeking further advice and guidance from Human Resources where necessary.
- 4.2 Employees are accountable for the following;
- All employees should support the delivery of the council's vision and purpose, clearly demonstrating the council's behaviours and values;

- Actively engage in employment practices and processes in which they are involved and ensure they understand this policy, seeking further advice and guidance from managers where necessary;
- Complying with the requirements of this policy.

5.0 Senior management pay structure

- 5.1 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), Government and Housing Act 1989 2(8), and for the avoidance of doubt include Executive Directors and Directors. 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.
- 5.2 The salary levels of the Chief Executive and Chief Officers on appointment are set by elected members at the relevant committee of the Council. The council's relevant committee (or appointed sub committees) approves remuneration levels for the Chief Executive, Executive Directors and Directors on appointment, subject to negotiation. The council's relevant committee has delegated authority from Council in respect of the actual appointment and dismissal of Executive Directors and Deputy Chief Officers in accordance with the Employment Procedure Rules.
- 5.3 Pay levels are reviewed and locally agreed taking into account any cost of living increase negotiated nationally by the JNC for Chief Officers of Local Authorities Conditions of Services. The pay offer for 2021/22 and 2022/23 for Chief Officers is yet to be decided (where applicable).
- 5.4 The salary details for Chief Officers are published on the Council's website and can be located on the open data pages;
<https://go.walsall.gov.uk/opendata-datasets>
- 5.5 The process for recruitment of Chief Officers is set out in Part 4.6 of the Council's Constitution.
- 5.6 The Chief Executive's total remuneration package includes fees payable for local election duties. Where appropriate fees for European, National and Regional elections and referenda are set out and paid by central government.
- 5.7 The council's Monitoring Officer (currently attached to a Director post) receives an additional allowance for the undertaking of this statutory function. The additional allowance would not be payable if the Monitoring Officer duties were to be attached to an Executive Director post.
- 5.8 The Councils Section 151 statutory function is undertaken by an Executive Director normally the Executive Director for Resources and Transformation and does not attract an additional allowance. Where the Executive Director

(Resources and Transformation) is or becomes vacant and the Section 151 duties are delegated to an appropriate deputy an allowance will be awarded to undertake the statutory function.

- 5.9 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 entitlements 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. Any such arrangements are reported to a committee of the council where required by the Council's Constitution. Furthermore, external auditors are consulted about severance packages where appropriate.

6.0 Others pay structure (including the lowest paid employees)

- 6.1 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. These employees have their pay based upon the NJC pay and grading structure which is extended locally to incorporate 62 spinal column points (SCP) and is attached at Appendix B.
- 6.2 The council's pay and grading structure ranges from G1 to G16 and covers SCP01 – 062. Each grade range contains a number of SCPs and this allows for annual incremental progression up to the top of the grade.
- 6.3 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 to G16. Both schemes comply with equal pay requirements.
- 6.4 Currently (based on council structures as at November 2021) apprentices pay starts at £9,002.43 (pay scales attached at Appendix C). From April 2022 apprentices pay starts at £9,372.66. These pay scales include a 1% increase on the national minimum apprenticeship rates due to a corporate pay increase agreed by Personnel Committee in March 2021. The council pay appropriate rates for all levels of apprenticeships plus the additional 1% pay increase (with the exception of those covered by 6.5) and will not apply the 12-month minimum apprenticeship rate.
- 6.5 The council has paid the Real Living Wage, since April 2015, in the form of an additional allowance to basic hourly rate, implemented in April each year and subject to an annual review. All council employees (excluding interns, intermediate and advanced apprentices, and those on the Kickstart Scheme), casual workers, higher and degree level apprentices are eligible for the living wage allowance where their substantive pay falls below the living wage rate including all non-standard hours such as overtime.

- 6.6 The council pay spot salaries to Interns and Graduates (based on council structures as at November 2021).
- 6.7 Pay levels are reviewed and locally agreed taking into account any cost of living increase negotiated nationally by the NJC for Local Government Services. The pay offer for 2021/22 and 2022/23 for NJC is yet to be decided (where applicable).

7.0 Non-standard terms and conditions

- 7.1 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. This paragraph would not preclude any changes, which were not by reason of the TUPE transfer or where there were economic, technical or organisational reasons for such changes.
- 7.2 Some specialist employees, mainly in education related services, such as Educational Psychologists, and the Youth Service are paid on the national pay scales relevant to their specialist employment, namely Soulbury and JNC for Youth and Community Workers respectively attached at Appendix D & E.
- 7.3 Pay levels are reviewed and locally agreed taking into account any cost of living increase negotiated nationally by Soulbury and the JNC for Youth and Community. The pay offer for 2021/22 and 2022/23 for Soulbury and JNC for Youth and Community is yet to be decided (where applicable).

8.0 Starting pay

- 8.1 Employees are usually paid on an incremental scale and will normally be appointed at the minimum point of the pay grade for that post or at the minimum point of advantage (applicable to internal appointments) where grade boundaries overlap with the new higher grade, with normal incremental progression in line with 9.3 below. In the case of internal appointments to posts at the same grade, appointment will normally be made on the existing SCP with incremental progression in line with 9.4 below. However, in certain circumstances it may be appropriate to appoint internal or external candidates to a higher point within the pay grade to support the appointment and retention of high calibre candidates. Such practice must be objectively justified and within current budgetary constraints. In order to ensure a level of control and consistency of such appointments, the Head of Service (or delegated manager with the relevant level of salary authorisation) should seek advice from Human Resources before they appoint on a higher spinal column point within the grade.
- 8.2 Internal appointments moving into an additional/second post of equivalent grade and nature will be appointed on the same SCP as their existing post with incremental progression in line with 9.4 below.

- 8.3 Where employees are appointed into posts where there is a grade reduction, they will normally 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 incremental progression is due in line with 9.4 below.
- 8.4 Casual workers will be appointed on the minimum point within the pay grade and will not receive incremental progression. Existing casuals (pre 2017/2018 pay policy) will be frozen on their current SCP and will not receive any further incremental pay progression.

9.0 Pay progression

- 9.1 Where employees are on annual incremental scales progression within grade boundaries is automatic (with the exception of casual workers and those on spot salaries, such as Interns and Graduates).
- 9.2 Annual incremental pay progression takes place 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 and implemented by the council.
- 9.3 Increments are usually due on the 01 April each year, or 6 months after appointment where the employee has been in the post for less than 6 months by 01 April, i.e. if the employee is appointed between 01 October and 31 March the increment will be paid after 6 months in post and then annually on the 01 April thereafter up to the maximum SCP within the grade. There are a couple of exceptions to this rule, see 9.4 below).
- 9.4 Where an internal employee moves into either;
- a new post at the same grade;
 - an additional/second post at the same grade;
 - or, a lower graded post;

the increment that would have been due in the previous/first post in the coming April, will be awarded (where relevant) in the new/additional post from the same point in time i.e. the coming April, so the employee is not subject to a detriment from moving roles.

- 9.5 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 and grading policy that provides the right of appeal against any grade outcomes. Where a manager or employee led job evaluation request results in a grade increase the appointment will be made at the bottom of the grade or at the minimum point of advantage.

10.0 Performance related pay (PRP)

- 10.1 The council does not operate a corporate performance related pay scheme or any type of bonus pay scheme.

11.0 Pay protection

- 11.1 Pay protection will be granted for a maximum period of 12 months and will apply where the council is enforcing a reduction in an employee's pay due to one of the following situations:
- 11.1.1 redeployment as a result of a restructure and/or compulsory redundancy in accordance with the councils' redeployment policy;
 - 11.1.2 redeployment as a result of a dismissal on health grounds in accordance with the councils' redeployment policy;
 - 11.1.3 as a result of a re-grade in accordance with the council's job evaluation and grading policy.
- 11.2 Pay protection will only apply where the post/re-grade is no more than 2 grades below the employee's substantive post.
- 11.3 Pay protection will apply to the grade of the substantive post and not the amount of hours worked, therefore pay protection will be pro-rata if the employee accepts a post at fewer hours. However, where an employee accepts a post with increased hours, pay protection will only apply to their previous substantive hours.
- 11.4 Where pay protection applies any loss in annual leave (affected by a grade reduction) will also be protected for a maximum period of 12 months on a pro-rata basis.
- 11.5 All other terms of the employee's substantive post will not be protected (e.g. unsocial hours payments, allowances etc.).

12.0 Market supplements

- 12.1 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 policy.

13.0. Retention payments

- 13.1 Retention payments may be paid where there are risks associated with workforce instability and concerns regarding retaining suitably skilled employees in the mid to long term in accordance with the council's retention payments policy.

14.0 Relocation and temporary accommodation allowances

- 14.1 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 policy.

15.0 Honorarium payments

- 15.1 Honorarium payments are additional monies that may be paid to remunerate employee's where;
- a) Employees are 'acting up' into a higher graded post and undertaking the full range of duties of the post on either a full time or part time basis. Such payments are temporary in nature normally for a maximum of 12 months and are appointed to in accordance with the recruitment and selection policy. In exceptional circumstances an honoraria may be extended beyond 12 months up to a maximum of 3 months, discretion to extend will normally only be permitted once. Incremental pay progression will apply to acting up honorarium payments.

Or

- b) Employees are undertaking additional work duties that are outside the scope of the employee's normal role AND such duties are graded at a higher level than the employee's substantive post. Such payments are temporary in nature, normally for a maximum period of 12 months and are paid in accordance with the council's job evaluation scheme to ensure principles of fairness and equality are maintained. In exceptional circumstances an honoraria may be extended beyond 12 months up to a maximum of 3 months, discretion to extend will normally only be permitted once. Incremental pay progression will not apply to additional duties honorarium payments.
- 15.2 All honorariums require authorisation from a Head of Service (or delegated manager) with the relevant level of salary authorisation, and Human Resources approval.
- 15.3 Where honorarium payments are approved, the employee will normally be awarded the bottom SCP of the higher grade. However, where this represents less than a 2 spinal column point increase from the existing SCP, the SCP will be adjusted to reflect a 2 point increase.

16.0 Allowance / expenses

- 16.1 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 Head of Service (or delegated manager with the

relevant level of salary authorisation), can be extended to those above G6. Overtime is not normally paid to those on senior management grades (G14 and above). All overtime must be agreed by the relevant manager and closely monitored.

- 16.2 The council also pays an additional payment in certain circumstances, which fall under the overtime and holiday pay ruling.
- 16.3 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 in accordance with Walsall Council local terms and conditions document.

The unsocial hours allowance is specific to posts that are, or become:

- a) subject to working in the unsocial hours window on a regularised working pattern/rota,

And

- b) on a permanent or long term basis.

In exceptional circumstances authorisation of shorter term temporary unsocial hours payments may be applied. Consideration of a temporary payment will be considered on a case by case basis where the work undertaken in the unsocial window is deemed as ongoing (usually more than 2 consecutive months) and regular.

For temporary application of an unsocial hours payment please discuss the circumstances with Human Resources.

- 16.4 Standby payment – where employees are required to be on standby they will receive a standardised payment in accordance with the guidance on standby and call out payments, currently £20 per session and £180 weekly rate. This is usually only applicable to those on grades G12 or below, however in exceptional circumstances and where pre-approved by the Head of Service (or delegated manager with the relevant level of salary authorisation), can be extended to those above G12.
- 16.5 Callout payment – where employees are called out to required locations they will receive the appropriate additional hours (payment for additional hours up to and including G6 and TOIL for those G7 and above in accordance with the standby and call out guidance) or overtime rate subject to a minimum of two hours for any single call out period in accordance with the guidance on standby and call out payments. This is usually only applicable to those on grades G12 or below, however in exceptional circumstances and where pre-approved by the Head of Service (or delegated manager with the relevant

level of salary authorisation), can be extended to those above G12. Where an employee provides telephone advice and the response time is in excess of one hour, a call out payment will be made.

- 16.6 Professional subscriptions / registration fees – These may be paid by the council where it is an essential requirement of the job. Essential would normally relate to a statutory function, and to support recruitment and retention (see the reimbursement of personal expenses policy).
- 16.7 Car allowances – employees using a private vehicle on official business will be entitled to claim business mileage at the HMRC rate as detailed in Appendix B.
- 16.8 The council also pay a sleep in allowance to specific roles to ensure the council operate in accordance with legislation, which are agreed for application in specific service areas.
- 16.9 Executive Directors using a private vehicle on official business will be entitled to claim business mileage at the HMRC rate as detailed in Appendix B. With the exception of those Executive Directors commencing in post prior to 01 April 2018 who receive a lump sum payment equivalent to 2.3% of their annual salary, which covers, the first 60 miles, after which business mileage claims can be made at the HMRC rate as detailed in Appendix B.

17.0 Long Service Award

- 17.1 A long service award will be paid to employees after competing 20 years continuous service with Walsall Council. The award is £125 per employee regardless of the number of hours worked. It is a one-off payment, paid as a cash payment through payroll, attracting tax and national insurance contributions as applicable.

18.0 Exit payments

- 18.1 Exit payments will be paid in accordance with any prevailing legislation.
- 18.2 Exit payments will be subject to recovery in accordance with any prevailing legislative requirements.

19.0 Pensions

- 19.1 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 Regulations 2013 (subject to 18.4).
- 19.2 Under the Local Government Pension Scheme Regulations, 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.

- 19.3 The council's current published LGPS discretionary policy is contained in Appendix F of this document and was effective from 1st April 2014. There have been subtle changes to the discretionary policy at the time of writing this policy to reflect recent regulatory changes but these do not impact on the council's policy conveyed in the previous version of the policy statement. This document also incorporates discretionary provisions that are still in force under the former LGPS regulations that the employer is required to publish within its current policy.
- 19.4 The council has been granted an NHS Pension Scheme Open Public Health Direction Order, effective from 13th September 2021. From this date, the council has been granted powers to provide access to the NHS Pension Scheme for new entrants who carry out specific roles within Public Health. Further details of these roles are available upon request from the Payroll and Pensions Team.

20.0 Pay multiples (or pay dispersion)

- 20.1 There is no formal mechanism for direct comparison between pay levels of the wider workforce with senior manager pay and there are no council policies on reaching or maintaining a specific pay multiple.
- 20.2 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.
- 20.3 The council's current (31 October 2021) pay multiple from the highest pay (£188,948 per annum) to the median pay of the organisation (£27,741 per annum) is 1:7. This pay multiple is the same ratio as the previous year.
- 20.4 The council's current (31 October 2021) pay multiple from the median pay of Chief Officers within the Corporate Management Team (£134,423 per annum) to the median pay of the organisation (£27,741 per annum) is 1:5. This pay multiple is the same ratio as the previous year.
- 20.5 The Council will monitor these ratios on an annual basis to ensure that there is no undue wage inflation in senior management pay rates.

Appendix A

JNC for Chief Officers of Local Authorities

Spinal Column Point Salaries

	Pay range	1 st April 2022	1 st April 2021**
		Annual	Annual
Chief Executive			
Pay range *		TBC	£167,354 to £188,948
Executive Director			
Pay range	11	TBC	£129,564
	12	TBC	£132,803
	13	TBC	£136,042
	Spot point	TBC	£142,521
Director			
Pay range	31	TBC	£84,731
	32	TBC	£87,986
	33	TBC	£91,245
	34	TBC	£94,502
	35	TBC	£97,768

* Chief Executive is paid on a spot salary within the Chief Executive pay range

**Current pay rates – Pay award pending confirmation for 2021/22

TBC – pay award for 2022/23 to be confirmed

Appendix B - NJC for Local Government Employees

Spinal Column Point Salaries effective from 1st April 2022 and 1st April 2021

* note Hourly rates are shown rounded to the nearest whole penny

Grade	SCP	2022			2021**		
		Annual Salary	Monthly Rate	*Hourly Rate	Annual Salary	Monthly Rate	*Hourly Rate
NJC grades		£	£	£	£	£	£
G1	001		0.00	0.00	17842	1486.83	9.25
G2	002			0.00	18198	1516.50	9.43
	003			0.00	18562	1546.83	9.62
G3	004			0.00	18933	1577.75	9.81
	005			0.00	19312	1609.33	10.01
G4	006			0.00	19698	1641.50	10.21
	007		0.00	0.00	20092	1674.33	10.41
	008		0.00	0.00	20493	1707.75	10.62
G5	009		0.00	0.00	20903	1741.92	10.83
	010		0.00	0.00	21322	1776.83	11.05
	011		0.00	0.00	21748	1812.33	11.27
	012		0.00	0.00	22183	1848.58	11.50
	013			0.00	22627	1885.58	11.73
	014			0.00	23080	1923.33	11.96
G6	015			0.00	23541	1961.75	12.20
	016			0.00	24012	2001.00	12.45
	017			0.00	24491	2040.92	12.69
	018		0.00	0.00	24982	2081.83	12.95
	019		0.00	0.00	25481	2123.42	13.21
	020		0.00	0.00	25991	2165.92	13.47
	021		0.00	0.00	26511	2209.25	13.74
G7	022		0.00	0.00	27041	2253.42	14.02
	023		0.00	0.00	27741	2311.75	14.38
	024			0.00	28672	2389.33	14.86
	025			0.00	29577	2464.75	15.33
G8	026			0.00	30451	2537.58	15.78
	027			0.00	31346	2612.17	16.25
	028			0.00	32234	2686.17	16.71
	029		0.00	0.00	32910	2742.50	17.06
G9	030		0.00	0.00	33782	2815.17	17.51
	031		0.00	0.00	34728	2894.00	18.00
	032		0.00	0.00	35745	2978.75	18.53
	033		0.00	0.00	36922	3076.83	19.14
G10	034		0.00	0.00	37890	3157.50	19.64
	035		0.00	0.00	38890	3240.83	20.16
	036		0.00	0.00	39880	3323.33	20.67
	037			0.00	40876	3406.33	21.19
G11	038		0.00	0.00	41881	3490.08	21.71
	039		0.00	0.00	42821	3568.42	22.20
	040			0.00	43857	3654.75	22.73
	041			0.00	44863	3738.58	23.25
G12	042		0.00	0.00	45859	3821.58	23.77
	043		0.00	0.00	46845	3903.75	24.28
	044		0.00	0.00	47892	3991.00	24.82
	045		0.00	0.00	48927	4077.25	25.36
G13	046		0.00	0.00	50107	4175.58	25.97
	047		0.00	0.00	51315	4276.25	26.60
	048		0.00	0.00	52523	4376.92	27.22
	049		0.00	0.00	53746	4478.83	27.86
	050			0.00	54962	4580.17	28.49
G14	055		0.00	0.00	61251	5104.25	31.75
	056			0.00	62531	5210.92	32.41
G15	057		0.00	0.00	64549	5379.08	33.46
	058		0.00	0.00	67778	5648.17	35.13
	059		0.00	0.00	71002	5916.83	36.80
G16	060		0.00	0.00	74368	6197.33	38.55
	061		0.00	0.00	77599	6466.58	40.22
	062		0.00	0.00	80824	6735.33	41.89

Midpoint (Average Cost) of Salary Grades 2021**

Grade	SCP	Midpoint £
Grade 1	pts 1-2	18020
Grade 2	pts 2-4	18564
Grade 3	pts 4-6	19314
Grade 4	pts 6-11	20709
Grade 5	pts 9-17	22656
Grade 6	pts 15-23	25532
Grade 7	pts 22-27	29138
Grade 8	pts 26-31	32575
Grade 9	pts 30-35	36326
Grade 10	pts 34-39	40373
Grade 11	pts 38-43	44354
Grade 12	pts 42-47	48491
Grade 13	pts 46-50	52531
Grade 14	pts 55-58	64027
Grade 15	pts 57-61	71059
Grade 16	pts 60-62	77597

Business Mileage Effective from 1 April 2017

Business Mileage	HMRC Approved mileage rates
	Cars (per mile)
First 10,000 business miles in the tax year	45p
Each business mile over 10,000 in the tax year	25p

Living Wage Allowance from 1 April 2022

£9.90 per hour (TBC)

**Current pay rates - Pay award pending confirmation for 2021/22

TBC – pay award for 2022/23 to be confirmed



Walsall Council

Appendix C

Apprentice rates of pay

Pay Range	Pay Point	1 st April 2022		1 st April 2021	
		Annual	Hourly	Annual	Hourly
Walsall Council Real Living Wage	XLW	£19,099.93	£9.90	£18,328.21	£9.50
Government National Living Wage 23 years old and over*	XGLWC	£18,511.50	£9.60*	£17,361.84	£9.00
National Minimum Wage 21-22 years old*	XNMWU23C	£17,887.95	£9.27*	£16,290.12	£8.44
National Minimum Wage 18-20 years old*	XNMWU21C	£13,308.79	£6.90*	£12,782.68	£6.63
National Minimum Wage 16-17 years old*	XNMWU18C	£9,372.66	£4.86*	£9,002.43	£4.67

*National minimum wage with 1% uplift

All apprentices will be paid at age appropriate rates, with the exception of higher level and degree level apprentices who will receive the Real Living Wage, where applicable.

**Spinal Column Point Salaries effective from 1st September 2022
(TBC) & 1st September 2021 (TBC)**

* note Hourly rates are shown rounded to the nearest whole penny

**Current
TBC - |

01/09/2022			
SCP	Annual Salary	Monthly Rate	*Hourly Rate
	£	£	£
Educational Improvement Professionals			
1		0.00	0.00
2		0.00	0.00
3		0.00	0.00
4		0.00	0.00
5		0.00	0.00
6		0.00	0.00
7		0.00	0.00
8		0.00	0.00
9		0.00	0.00
10		0.00	0.00
11		0.00	0.00
12		0.00	0.00
13		0.00	0.00
14		0.00	0.00
15		0.00	0.00
16		0.00	0.00
17		0.00	0.00
18		0.00	0.00
19		0.00	0.00
20		0.00	0.00
21		0.00	0.00
22		0.00	0.00
23		0.00	0.00
28		0.00	0.00

01/09/2021**			
SCP	Annual Salary	Monthly Rate	*Hourly Rate
	£	£	£
Educational Improvement Professionals			
1	36419	3034.92	18.88
2	37723	3143.58	19.55
3	38955	3246.25	20.19
4	40203	3350.25	20.84
5	41443	3453.58	21.48
6	42684	3557.00	22.12
7	43988	3665.67	22.80
8	45243	3770.25	23.45
9	46705	3892.08	24.21
10	48009	4000.75	24.88
11	49295	4107.92	25.55
12	50541	4211.75	26.20
13	51951	4329.25	26.93
14	53209	4434.08	27.58
15	54598	4549.83	28.30
16	55854	4654.50	28.95
17	57114	4759.50	29.60
18	58350	4862.50	30.24
19	59625	4968.75	30.91
20	60283	5023.58	31.25
21	61549	5129.08	31.90
22	62653	5221.08	32.47
23	63867	5322.25	33.10
28	69597	5799.75	36.07

01/09/2022			
SCP	Annual Salary	Monthly Rate	*Hourly Rate
	£	£	£
Trainee Educational Psychologists			
1		0.00	0.00
2		0.00	0.00
3		0.00	0.00
4		0.00	0.00
5		0.00	0.00
6		0.00	0.00

01/09/2021**			
SCP	Annual Salary	Monthly Rate	*Hourly Rate
	£	£	£
Trainee Educational Psychologists			
1	24541	2045.08	12.72
2	26337	2194.75	13.65
3	28131	2344.25	14.58
4	29929	2494.08	15.51
5	31724	2643.67	16.44
6	33520	2793.33	17.37

01/09/2022			
SCP	Annual Salary	Monthly Rate	*Hourly Rate
	£	£	£
Educational Psychologists			
2		0.00	0.00
3		0.00	0.00
4		0.00	0.00
5		0.00	0.00
6		0.00	0.00
7		0.00	0.00
8		0.00	0.00
9		0.00	0.00
10		0.00	0.00

01/09/2021**			
SCP	Annual Salary	Monthly Rate	*Hourly Rate
	£	£	£
Educational Psychologists			
2	40136	3344.67	20.80
3	42075	3506.25	21.81
4	44012	3667.67	22.81
5	45951	3829.25	23.82
6	47889	3990.75	24.82
7	49714	4142.83	25.77
8	51538	4294.83	26.71
9	53247	4437.25	27.60
10	54959	4579.92	28.49

01/09/2022			
SCP	Annual Salary	Monthly Rate	*Hourly Rate
	£	£	£
Senior & Principal Educational Psychologists			
3		0.00	0.00
4		0.00	0.00
5		0.00	0.00
6		0.00	0.00
7		0.00	0.00
8		0.00	0.00
9		0.00	0.00
10		0.00	0.00
11		0.00	0.00
12		0.00	0.00
13		0.00	0.00
14		0.00	0.00
15		0.00	0.00
16		0.00	0.00
17		0.00	0.00
18		0.00	0.00

01/09/2021**			
SCP	Annual Salary	Monthly Rate	*Hourly Rate
	£	£	£
Senior & Principal Educational Psychologists			
3	51538	4294.83	26.71
4	53247	4437.25	27.60
5	54959	4579.92	28.49
6	56554	4712.83	29.31
7	57209	4767.42	29.65
8	58433	4869.42	30.29
9	59646	4970.50	30.92
10	60880	5073.33	31.56
11	62090	5174.17	32.18
12	63323	5276.92	32.82
13	64577	5381.42	33.47
14	65790	5482.50	34.10
15	67061	5588.42	34.76
16	68318	5693.17	35.41
17	69585	5798.75	36.07
18	70850	5904.17	36.72



Appendix E - JNC for Youth & Community Workers

Spinal Column Point Salaries effective from 1st September 2022 (TBC) & 1st September 2021 (TBC)

* note Hourly rates are shown rounded to the nearest whole penny

01/09/2022			
SCP	Annual Salary	Monthly Rate	*Hourly
	£	£	£
Support Worker Range			
5		0.00	0.00
6		0.00	0.00
7		0.00	0.00
8		0.00	0.00
9		0.00	0.00
10		0.00	0.00
11		0.00	0.00
12		0.00	0.00
13		0.00	0.00
14		0.00	0.00
15		0.00	0.00
16		0.00	0.00
17		0.00	0.00
Professional Range			
13		0.00	0.00
14		0.00	0.00
15		0.00	0.00
16		0.00	0.00
17		0.00	0.00
18		0.00	0.00
19		0.00	0.00
20		0.00	0.00
21		0.00	0.00
22		0.00	0.00
23		0.00	0.00
24		0.00	0.00
25		0.00	0.00
26		0.00	0.00
27		0.00	0.00
28		0.00	0.00
29		0.00	0.00
30		0.00	0.00
31		0.00	0.00
32		0.00	0.00

01/09/2021**			
SCP	Annual Salary	Monthly Rate	*Hourly
	£	£	£
Support Worker Range			
5	19308	1609.00	10.01
6	19631	1635.92	10.18
7	19922	1660.17	10.33
8	20589	1715.75	10.67
9	21439	1786.58	11.11
10	22104	1842.00	11.46
11	23178	1931.50	12.01
12	24228	2019.00	12.56
13	25313	2109.42	13.12
14	26437	2203.08	13.70
15	27202	2266.83	14.10
16	28001	2333.42	14.51
17	28787	2398.92	14.92
Professional Range			
13	25313	2109.42	13.12
14	26437	2203.08	13.70
15	27202	2266.83	14.10
16	28001	2333.42	14.51
17	28787	2398.92	14.92
18	29579	2464.92	15.33
19	30364	2530.33	15.74
20	31152	2596.00	16.15
21	32036	2669.67	16.61
22	33039	2753.25	17.12
23	34015	2834.58	17.63
24	34997	2916.42	18.14
25	35985	2998.75	18.65
26	36973	3081.08	19.16
27	37961	3163.42	19.68
28	38961	3246.75	20.19
29	39953	3329.42	20.71
30	40947	3412.25	21.22
31	41617	3468.08	21.57
32	42718	3559.83	22.14



Walsall Council



Walsall Council

Local Government Pension Scheme Policy Statement: 1 April 2014

Policy Statement for all eligible employees

Under the Local Government Pension Scheme Regulations, 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.

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 case to consider the full financial cost implications to the Council and the Pension Fund.

Existing policy discretions for employers which are in place under the 2008 and 1995 schemes will remain in force for employees who left the scheme prior to 1st April 2014.

All other past policies and discretions will be revoked following the approval of this policy. The discretions detailed in this policy will apply from 1st April 2014.

Part 1 – Discretions to be applied under the LGPS Regulations 2013 and LGPS (Transitional Provisions and Savings) Regulations 2014 (denoted as ‘TP’ within the policy).

<p><u>Regulation 16(2)e & Reg 16(4)d:</u> Where an active Scheme member wishes to purchase extra annual pension of up to £7,316 (figure at 1 April 2021) by making Additional Pension Contributions (APCs), the employer can choose to contribute towards the cost of purchasing that extra pension via a Shared Cost Additional Pension Contribution (SCAPC).</p>	<p><u>Council Policy</u> The Council has <u>NOT</u> adopted this discretion.</p>
<p><u>Regulation 30(6) and TP11(2):</u> Whether to permit flexible retirement for staff aged 55 or over who, with the agreement of the employer, reduce their working hours or grade in order to release some or all of their retirement benefits.</p>	<p><u>Council Policy</u> The Council will consider employee requests to take flexible retirement on a case by case basis after taking into factors such as service delivery and any costs that may apply.</p>

<p><u>Regulation 30(8):</u> Whether to waive any actuarial reductions that would otherwise apply under Regulation 30(5) and Regulation 30(6) for active members, deferred members and suspended tier 3 ill health pensioners who elect to receive early payment of benefits prior to normal pension age.</p>	<p><u>Council Policy</u> Waiving of actuarial reductions and the application of 85 year rule protections will be considered only where there is a clear financial or operational advantage in doing so. A request for early unreduced payment of benefits on compassionate grounds would be considered only where the former member is prevented from full-time working due to the need to provide long-term care for a dependant.</p>
<p><u>TP Regulation 1(1)(c) of Schedule 2:</u> Whether, to apply the 85 year rule protections to members who choose to voluntarily draw their benefits on or after age 55 and before age 60, [under paragraph 1(1)(c) of Schedule 2 to the LGPS (Transitional Provisions, Savings and Amendment) Regulations 2014].</p>	<p><u>Council Policy</u> Waiving of actuarial reductions and the application of 85 year rule protections will be considered only where there is a clear financial or operational advantage to the Council in doing so.</p>
<p><u>Regulation 31:</u> Whether to grant extra annual pension of up to £7,316 to an active Scheme member or within 6 months of leaving to a member whose employment was terminated on the grounds of redundancy or business efficiency.</p>	<p><u>Council Policy</u> The Council has <u>NOT</u> adopted this discretion.</p>
<p><u>Regulation 22(8 & 9):</u> Whether to extend the 12-month period in which a member can elect to retain separate benefits for previous pensionable service.</p>	<p><u>Council Policy</u> The Council will consider applications under this Regulation but only when it can be demonstrated that the delay is because of an administration issue and not as a result of the scheme member's failure to make an election within the 12 month timescale.</p>
<p><u>Regulation 9(3):</u> Determining the rate of employees' contributions</p>	<p><u>Council Policy</u> 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.</p>
<p><u>Regulation 100(6):</u> Whether to extend the 12-month period from joining the scheme in which to allow a transfer-in of previous non-local government pension rights.</p>	<p><u>Council Policy</u> The Council will consider applications under this Regulation but only when it can be demonstrated that the delay is because of an administration issue and not as a result of the scheme member's failure to make an election within the 12 month timescale.</p>

Part 2 – Discretions to be applied under the LGPS (Benefits, Membership and Contributions) Regulations 2007 (as amended)

No remaining Discretions apply under Part 2

Part 3 – Discretions to be applied under the LGPS Regulations 1997

<p><u>Regulation 31(7A):</u> Whether to grant employer consent for a scheme member to access their retirement benefits from their Normal Retirement Date without reduction, while continuing to be employed by a Scheme employer listed in Schedule 2.</p>	<p><u>Council Policy</u> 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 the reasons for early payment and any associated financial costs.</p>
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Part 4 – Discretions to be applied under the Local Government (Early Termination of Employment) (Discretionary Compensation) Regulations 2006

<p><u>Regulation 5:</u> 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><u>Council Policy</u> The Council has decided to adopt this discretion and base redundancy payment calculations on an unrestricted week's pay.</p>
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<p><u>Regulation 6:</u> 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><u>Council Policy</u> 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. 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 23.</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 5 – Discretions to be applied under the Local Government (Discretionary Payments) (Injury Allowances) Regulations 2011

<p><u>Explanation</u> The Council operates The Walsall Council Injury Allowance Scheme under the permissive powers of The Discretionary Payment Regulations 2011.</p>	<p><u>Council Policy</u> 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 Finance and the Head of Human Resources or</p>
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<p>The scheme is unique to Walsall Council employees and is operated within the regulatory guidelines.</p>	<p>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. Payment will be made from the service budget. There is no separate internal appeals process as designated by the Injury allowance panel.</p>
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Part 6 – Appeals Process – Local Government Pension Scheme (Administration) Regulations 2008

<p><u>Regulation 57: Internal Dispute Resolution Procedure (IDRP)</u> Responsibility for determination of LGPS disputes under the first stage of the procedure now lies with the “Adjudicator” at the employing authority.</p> <p>The Section 151 Officer is the Adjudicator 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 directorate, the Chief Executive will act as the Adjudicator.</p>	<p><u>Council Policy</u> Any disputes about decisions made under the LGPS should be sent in writing to:</p> <p>The Section 151 Officer The Council House Walsall Council WS1 1TW or</p> <p>The Chief Executive if the complaint relates to member of the Resources and Transformation Directorate.</p>
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Reviewed October 2021

Appendix 2

The Living Wage (Pay Policy 2022/2023)

1. Background

1.1 The Living Wage is an informal benchmark, not a legally enforceable minimum level of pay, like the national minimum/national living wage. The Living Wage calculation takes into account the Centre for Research in Social Policy at Loughborough University Minimum Income Standard, which identifies a core basket of goods needed for a minimum standard of living. Combined with analysis of the actual cost of living including essentials such as rent, council tax, childcare and transport to produce the Living Wage figure.

1.2 Appointments Board recommended that with effect from 01 April 2015, the Council commence payment of a Living Wage allowance to existing roles including Higher Level Apprentices, (excluding apprenticeships at advanced level and below, with further amendments excluding internships) and casual workers paid below the Living Wage. Subsequently it was recommended by Personnel Committee (22 January 2019) that this is reviewed annually as part of the Pay Policy Statement. Each year to date since its introduction in 2015 the Living Wage rate has increased and been implemented as below;

- £7.85 effective from 1st April 2015
- £8.25 effective from 1st April 2016
- £8.45 effective from 1st April 2017
- £8.75 effective from 1st April 2018
- £9.00 effective from 1st April 2019
- £9.30 effective from 1st April 2020
- £9.50 effective from 1st April 2021

1.3 The Living Wage outside of London increased on 15 November 2021 from £9.50 to £9.90 per hour.

1.4 The current national minimum/national living wage rates from 01 April 2021 and the published increase for 01 April 2022 are detailed below;

	April 2021	April 2022
National Living Wage (for those aged 23 and over)	£8.91	£9.50
National Minimum wage 21-22 year old rate	£8.36	£9.18
National Minimum wage 18-20 year old rate	£6.56	£6.83
National Minimum wage 16-17 year old rate	£4.62	£4.81
Apprentice rate for those aged under 19 or in their first year of study	£4.30	£4.81

- 1.5 The NJC pay scales current minimum point (2020/2021) is £9.25 per hour, the pay award for 2021/22 and 2022/23 are still pending, therefore potentially this may increase further following confirmation of the NJC nationally negotiated pay award being agreed (where applicable). Presently, the anticipated pay award for 2021/22 is 2.75% on SCP1 and 1.75% on SCP2 and above, although not yet agreed, based on this award it would mean a minimum point for NJC pay scales of £9.50 per hour.
- 1.6 Employees on JNC, Soulbury and teachers terms and conditions, all exceed the minimum rate of £9.90.

2. Living Wage Allowance in Walsall Council

- 2.1 Based on the current employment data as at 31 October 2021, and taking into account any incremental progression due on 1st April 2022 and the anticipated pay award for 2021/22 of 2.75% on SCP1 and 1.75% on SCP2 and above, there will be 23 employees who fall below the real living wage rate of £9.90 per hour.

In addition to these there are 10 higher-level apprentices within scope paid an hourly rate below the real living wage.

- 2.2 In addition to the above (again taking into account the anticipated pay award for 2021/22 of 2.75% on SCP1 and 1.75% on SCP2 and above), the Council also has approximately 121 people that work on a 'casual' basis at rates in the pay structure less than £9.90 per hour, which are eligible for the real living wage allowance adopted by the Council.
- 2.3 Schools have the delegated power to decide where to appoint employees on the pay scale and could therefore choose not to apply the Living Wage (even if the council has decided to implement it).
- 2.4 Foundation, Voluntary Aided Schools and Academies are separate employers so are outside of any decisions the Council may take regarding pay.

Equality Impact Assessment (EqIA) for Policies, Procedures and Services

Proposal name	Pay Policy Statement 2022/23		
Directorate	Resource and Transformation		
Service	HR Strategy and Planning Team		
Responsible Officer	Rebecca Lloyd		
Proposal planning start	September 2021	Proposal start date (due or actual date)	01 April 2022

1	What is the purpose of the proposal?	Yes / No	New / revision
	Policy	Yes	Revision
	Procedure	N/A	
	Guidance	N/A	
	Is this a service to customers/staff/public?	N/A	
	If yes, is it contracted or commissioned?	N/A	
	Other - give details	N/A	
2	What is the business case for this proposal? Please provide the main purpose of the service, intended outcomes and reasons for change?		
	<p>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 and the Equality Act 2010.</p> <p>This policy is a key element of our employment practices and it is vital that it meets the needs of the employees and managers who use it. To provide a policy which is free from any form of discrimination is a key aim of Human Resources (HR).</p> <p>The policy has been updated and is in line with current legislation and good practice.</p> <p>The policy will be applicable to all employees and managers with the exclusion of those employees on teachers' pay & conditions and educational support staff in schools.</p> <p>The main changes are:</p> <ul style="list-style-type: none"> • 6.4 Apprentice rates – as apprentices received the 1% uplift on national minimum wage when all staff in the council received the 1% uplift in April 2021; • 6.5 Kickstart Scheme (new government training/employment scheme reimbursed by DWP) paid on National Minimum Wage only, no living wage allowance; • 6.7 NJC T&Cs - reference to 1% reduction from 2017 removed, as the 1% pay award was made in April 2021 • 7.4 non-standard T&Cs - reference to 1% reduction from 2017 removed, as the 1% pay award was made in April 2021 		



	<ul style="list-style-type: none"> • 8.1 & 9.4 clarification on starting pay and incremental progression for internal appointments moving to a new job on the same or lower grade. • 16.6 professional fees - removal of ED approval, as it will be processed through one source going forward, as referenced in the revised reimbursement of personal expenses policy. • 17.0 addition of long service award – this has been in place for many years, no changes to current practice, but not previously documented in the policy • 19.0 pensions – Reference to pending changes in legislation which did not go ahead in April 2021 removed. Inserted reference to access to NHS Pension Scheme for Public Health roles. • 20.0 pay multiples – to be updated for 2021 (the data is based on 31 October each year). • Appendices – currently have the 2021 pay rates (which include the 1% pay award paid by Walsall Council in April 2021) but not any nationally consulted pay awards for 2021/22 which are still pending confirmation. Also the 2022/23 pay award is to be confirmed. When any nationally agreed pay awards are confirmed the appendices will be updated. 		
3	Who is the proposal likely to affect?		
	People in Walsall	Yes / No	Detail
	All	No	All corporate employees including Directors, Executive Directors and the Chief Executive, but excludes those in schools where the Governing Body has delegated authority for staffing.
	Specific group/s	No	
	Council employees	Yes	
Other (identify)	N/A		
4	Please provide service data relating to this proposal on your customer's protected characteristics.		
<p>As of 31 March 2021 the total number of Walsall Council employees (excluding Schools) were 3079. The Council's workforce is made up of 67.55% females. 22.22% of the workforce are classified as under-represented ethnic groups (i.e. those excluding White British ethnicity). In total there were 137 employees (4.45% of the workforce) who declared they had a disability, as defined by the Equality Act 2010.</p> <p>Of Walsall Council employees 3.12% are in the age group under 25, 24.42% in age group 25-39, 25.43% are in the age group 40-49, 43.30% are in the age group 50-64, and 3.73% are in the age group 65 and over.</p> <p>The average (median) gender pay gap analysis at 31 March 2021 was -2.86%. This means that the average (median) pay for full time male employees was 2.86% lower than for full time female employees.</p>			
5	Please provide details of all engagement and consultation undertaken for this proposal. (Please use a separate box for each engagement/consultation).		

Consultation was undertaken with HR, Payroll, Finance and Legal as well as wider consultation with the Senior Management Group across the Council between 4 November to 19 November 2021.

The Pay Policy is subject to endorsement with CMT on 6 January 2022.

The Pay Policy is subject to approval with Personnel Committee on 24 January 2022.

The Pay Policy is subject to approval at Full Council on 24 February 2022.

Consultation Activity

Complete a copy of this table for each consultation activity you have undertaken.

Type of engagement/consultation	Senior Managers	Date	04/11/21 to 19/11/2021
Who attended/participated?	Senior Managers (tier 3 and 4), plus Legal and Finance		
Protected characteristics of participants	A range of protected characteristics including, gender, race, age, disability.		
Feedback and response			
Request for further clarity on: <ul style="list-style-type: none"> • Apprentice rates of pay regarding the additional 1% from April 2021. • Access to the NHS pension scheme for specific public health roles. • Starting pay making it clear it is the managers' decision. <p>Query on overtime and call out payments and why they are not paid to all employees. These are paid in accordance with the Walsall Orange Book Terms and Conditions. They can be paid to all employees even those a senior level, the difference being that they are not normally paid but can be if pre-approved.</p> <p>Feedback on some minor amendments to wording and grammar.</p>			

6 Concise overview of all evidence, engagement and consultation

Formal consultation with managers raised no concerns over protected characteristics.

7 How may the proposal affect each protected characteristic or group? The effect may be positive, negative, neutral or not known. Give reasons and if action is needed.

Characteristic	Affect	Reason	Action needed Yes / No
Age	Neutral	The policy sets out the approach to pay in regards to Council employees, therefore it sets out clear guidelines to	No

		reduce the risk of discrimination.	
Disability	Neutral	<p>The policy sets out the approach to pay in regards to Council employees, therefore it sets out clear guidelines to reduce the risk of discrimination.</p> <p>Potential impact on employees who require reasonable adjustments for communication and for those who do not understand the policy e.g. employees with learning disabilities.</p>	Yes
Gender reassignment	Neutral	The policy sets out the approach to pay in regards to Council employees, therefore it sets out clear guidelines to reduce the risk of discrimination.	No
Marriage and civil partnership	Neutral	The policy sets out the approach to pay in regards to Council employees, therefore it sets out clear guidelines to reduce the risk of discrimination.	No
Pregnancy and maternity	Neutral	<p>The policy sets out the approach to pay in regards to Council employees, therefore it sets out clear guidelines to reduce the risk of discrimination.</p> <p>Potential impact for people who are on maternity or paternity leave and are not updated about the policy.</p>	Yes
Race	Neutral	The policy sets out the approach to pay in regards to Council employees, therefore it sets out clear guidelines to reduce the risk of discrimination.	No
Religion or belief	Neutral	The policy sets out the approach to pay in regards to Council employees, therefore it sets out clear guidelines to reduce the risk of discrimination.	No
Sex	Neutral	The policy sets out the approach to pay in regards to Council employees, therefore	No

			it sets out clear guidelines to reduce the risk of discrimination.	
	Sexual orientation	Neutral	The policy sets out the approach to pay in regards to Council employees, therefore it sets out clear guidelines to reduce the risk of discrimination.	No
	Other (give detail)	N/A		
	Further information	N/A		
8	Does your proposal link with other proposals to have a cumulative effect on particular equality groups? If yes, give details.			(Delete one) No
9	Which justifiable action does the evidence, engagement and consultation feedback suggest you take?			
	A	No major change required		
	B	Adjustments needed to remove barriers or to better promote equality		
	C	Continue despite possible adverse impact		
	D	Stop and rethink your proposal.		

Action and monitoring plan				
Action Date	Action	Responsibility	Outcome Date	Outcome
Day of Launch	The policy to be explained/made available to employees	Employee's line manager should make themselves available to explain the policy to ensure understanding and offer support to allow individuals to achieve the requirements	As and when required	
Day of Launch	The procedure will be explained/made available in other languages on request for employees whose first language is not English.	Appropriate liaison as required with the council's Interpretation, Translation, Transcription and Easy Read service (ITTE)	As and when requested	
Day of Launch	Alternative formats (audio and Easy Read) for disabled employees of the new policy will be made	Liaison as required with the appropriate council procured services; audio formats from	As and when requested	

	available on request.	Walsall Society for the Blind and Easy Read from the Community, Equality and Cohesion team.		
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Update to EqIA	
Date	Detail
	Procedure to be reviewed annually for 1 st April implementation.

Contact us

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Inside Walsall: http://int.walsall.gov.uk/Service_information/Equality_and_diversity