

GUILDFORD BOROUGH COUNCIL



BILLINGTON MAYOR

Contact Officer:

John Armstrong,
Democratic Services and Elections Manager
Tel: 01483 444102

24 February 2021

To the Councillors of Guildford Borough Council

You are hereby summoned to attend a meeting of the Council for the Borough of Guildford to be held in the **This meeting will be held via MTeams on THURSDAY, 4 MARCH 2021** commencing at 7.00 pm.



James Whiteman
Managing Director

Millmead House
Millmead
Guildford
Surrey GU2 4BB

www.guildford.gov.uk

WEBCASTING NOTICE

This meeting will be recorded for live and/or subsequent broadcast on the Council's website in accordance with the Council's capacity in performing a task in the public interest and in line with the Openness of Local Government Bodies Regulations 2014. The whole of the meeting will be recorded, except where there are confidential or exempt items, and the footage will be on the website for six months.

If you have any queries regarding webcasting of meetings, please contact Committee Services.

THE COUNCIL'S STRATEGIC FRAMEWORK

Vision – for the borough

For Guildford to be a town and rural borough that is the most desirable place to live, work and visit in South East England. A centre for education, healthcare, innovative cutting-edge businesses, high quality retail and wellbeing. A county town set in a vibrant rural environment, which balances the needs of urban and rural communities alike. Known for our outstanding urban planning and design, and with infrastructure that will properly cope with our needs.

Three fundamental themes and nine strategic priorities that support our vision:

- | | |
|---------------------|--|
| Place-making | Delivering the Guildford Borough Local Plan and providing the range of housing that people need, particularly affordable homes |
| | Making travel in Guildford and across the borough easier |
| | Regenerating and improving Guildford town centre and other urban areas |
| Community | Supporting older, more vulnerable and less advantaged people in our community |
| | Protecting our environment |
| | Enhancing sporting, cultural, community, and recreational facilities |
| Innovation | Encouraging sustainable and proportionate economic growth to help provide the prosperity and employment that people need |
| | Creating smart places infrastructure across Guildford |
| | Using innovation, technology and new ways of working to improve value for money and efficiency in Council services |

Values for our residents

- We will strive to be the best Council.
- We will deliver quality and value for money services.
- We will help the vulnerable members of our community.
- We will be open and accountable.
- We will deliver improvements and enable change across the borough.

Time limits on speeches at full Council meetings:	
Public speaker:	3 minutes
Response to public speaker:	3 minutes
Questions from councillors:	3 minutes
Response to questions from councillors:	3 minutes
Proposer of a motion:	10 minutes
Seconder of a motion:	5 minutes
Other councillors speaking during the debate on a motion:	5 minutes
Proposer of a motion's right of reply at the end of the debate on the motion:	10 minutes
Proposer of an amendment:	5 minutes
Seconder of an amendment:	5 minutes
Other councillors speaking during the debate on an amendment:	5 minutes
Proposer of a motion's right of reply at the end of the debate on an amendment:	5 minutes
Proposer of an amendment's right of reply at the end of the debate on an amendment:	5 minutes

AGENDA

1. APOLOGIES FOR ABSENCE

2. DISCLOSURES OF INTEREST

To receive and note any disclosable pecuniary interests from councillors. In accordance with the local Code of Conduct, a councillor is required to disclose at the meeting any disclosable pecuniary interest (DPI) that they may have in respect of any matter for consideration on this agenda. Any councillor with a DPI must not participate in any discussion or vote regarding that matter and they must also withdraw from the meeting immediately before consideration of the matter.

If that DPI has not been registered, the councillor must notify the Monitoring Officer of the details of the DPI within 28 days of the date of the meeting.

Councillors are further invited to disclose any non-pecuniary interest which may be relevant to any matter on this agenda, in the interests of transparency, and to confirm that it will not affect their objectivity in relation to that matter.

3. MAYOR'S COMMUNICATIONS

To receive any communications or announcements from the Mayor.

4. LEADER'S COMMUNICATIONS

To receive any communications or announcements from the Leader of the Council.

5. PUBLIC PARTICIPATION

To receive questions or statements from the public in relation only to the business for which this extraordinary meeting has been called.

6. QUESTIONS FROM COUNCILLORS

To hear questions (if any) from councillors of which due notice has been given in relation only to the business for which this extraordinary meeting has been called.

7. LOCAL GOVERNMENT ACT 1972 (SECTION 91) - NORMANDY PARISH COUNCIL (Pages 5 - 12)

8. AMENDMENTS TO PAY POLICY STATEMENT 2021-22 (Pages 13 - 26)

9. EXCLUSION OF THE PUBLIC

The Council is asked to consider passing the following resolution:

“That under Section 100A(4) of the Local Government Act 1972 (as amended), the public be excluded from the meeting for consideration of the following item of business on the grounds that it involves the likely disclosure of exempt information, as defined in paragraph 1 of Part 1 of Schedule 12A to the Act.”

**10. PROPOSED REDUNDANCY TERMINATION PAYMENTS ABOVE £95,000
(Pages 27 - 34)**

11. COMMON SEAL

To order the Common Seal to be affixed to any document to give effect to any decision taken by the Council at this meeting.

Council Report

Ward(s) affected: Normandy

Report of the Managing Director

Author: John Armstrong, Democratic Services and Elections Manager

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Lead Councillor responsible: Joss Bigmore

Tel: 07974 979369

Email: joss.bigmore@guildford.gov.uk

Date: 4 March 2021

Local Government Act 1972 (Section 91) Normandy Parish Council

Executive summary

The Council has been informed that seven parish councillors have resigned recently from Normandy Parish Council.

The statutory notices of vacancy have been published and we have received written requests for an election to fill the vacancies from the required minimum of ten electors residing within the parish. The election will take place on 6 May 2021.

The effect of these resignations is that the Parish Council is now inquorate – with two remaining parish councillors – and unable to meet lawfully to transact the business of the Parish Council. The quorum for all parish councils is three, or one-third of the total membership of the parish council, whichever is the greater.

This report asks the Council to make an order under Section 91 Local Government Act 1972 to make temporary appointments to Normandy Parish Council to fill some or all of the vacancies pending the outcome of the election. The effect of making the temporary appointments is to enable the Parish Council to conduct its business lawfully.

As this is the first occasion that a local parish council has become inquorate for many years, it is proposed that the Council delegates its power to make Section 91 orders to the Managing Director, in consultation with the Leader of the Council, political group leaders, local ward councillors, and the Monitoring Officer. It is also proposed that the Council adopts a procedure for dealing with inquorate parish councils in the future, a copy of which is set out in Appendix 1.

Recommendation to Council:

- (1) That an order be made under Section 91 of the Local Government Act 1972, the effect of which is to appoint on a temporary basis the following persons to fill four of the vacancies on Normandy Parish Council so that the Parish Council is quorate and can continue to act:

- Councillor David Bilbé
- Councillor Bob McShee
- Councillor Ramsey Nagaty
- Councillor Fiona White

(2) That authority be delegated to the Managing Director, in consultation with the Leader of the Council, political group leaders, local ward councillor(s), and the Monitoring Officer, to make orders under Section 91 of the Local Government Act 1972 should a similar situation arise in future in respect of any parish council in the borough, following the procedure set out in Appendix 1 to this report.

Reasons for Recommendation:

(1) Section 91 of the Local Government Act 1972 allows the Borough Council to appoint a sufficient number of persons to act as parish councillors on a temporary basis, to enable the work of the Parish Council to continue until it has a sufficient number of elected parish councillors to be quorate.

(2) To enable the Borough Council to act quickly in the future should any parish council within the borough become inquorate.

Is this report (or part of it) exempt from publication? No

1. Purpose of Report

1.1 To ask the Council to exercise its powers under Section 91 of the Local Government Act 1972 by authorising the making of an order to appoint persons to Normandy Parish Council on a temporary basis, to enable the parish council to function pending the outcome of the election on 6 May 2021 to fill the vacancies.

2. Background

2.1 The composition of Normandy Parish Council is nine parish councillors. Between 5 and 15 February 2021, we were informed that seven of the nine parish councillors had resigned, including the chairman.

2.2 The statutory notices in respect of the vacancies have been published and displayed locally on parish notice boards and on the parish council's website and the Borough Council's website. Under The Local Elections (Parishes and Communities) (England & Wales) Rules 2006, if ten or more local government electors within the Normandy parish request an election to fill the vacancies within 14 working days of the date of the notice, an election will be held. At the time of writing this report, ten valid requests have been received and an election to fill the vacancies will take place on 6 May 2021.

2.3 The effect of these resignations is that, until the elections are held and the new parish councillors take office, the Parish Council is inquorate – with two remaining parish councillors – and unable to meet lawfully to transact the business of the Parish Council. The quorum for all parish councils is three, or one-third of the total membership of the parish council, whichever is the greater.

3. Order under Section 91 Local Government Act 1972

- 3.1 In circumstances where there are so many vacancies in the office of parish councillor that the parish council is unable to act, the relevant district council may by order, under Section 91 of the Local Government Act 1972, appoint persons to fill all or any of the vacancies until other councillors are elected and take up office.
- 3.2 The Act does not define “persons”, but conventionally other councils in similar circumstances (and in two-tier areas) include, as appointees, the local borough councillor(s) representing the ward in which the parish is located, and/or the local county councillor whose division includes the relevant parish. Where additional persons are required, the Council has discretion as to whom it should appoint.
- 3.3 Following consultation with political group leaders, it was felt that bearing in mind that there remained two parish councillors, it would be appropriate to consider making four temporary parish councillor appointments, bringing the total number to six, thereby making the parish council quorate again.
- 3.4 Following further discussion within individual groups, it was proposed that Councillor David Bilbé, Councillor Keith Witham (County Councillor for the Worplesdon division which covers Normandy parish), plus Councillors Bob McShee and Fiona White should be appointed persons.
- 3.5 Councillor Keith Witham was approached regarding his possible appointment and he has indicated that he would have been happy to accept, but he has reservations given that he will be seeking re-election to the County Council at the same time as the elections are due to take place to Normandy Parish Council. He has therefore declined the offer. In view of this, the Leader of the Council has asked Councillor Ramsey Nagaty to be considered for appointment and he has accepted.

4. Proposed Procedure for dealing with inquorate parish councils

- 4.1 Under the Constitution, there are currently no delegated powers for an officer to make orders under Section 91 to temporarily appoint parish councillors until elections take place. Neither is it within the remit of the Executive or any other Committee.
- 4.2 Other principal councils have adopted procedures for dealing with inquorate parish councils to enable the necessary appointments to bring a parish council into a quorate state as quickly as possible, without the need to bring a report each time to a full council meeting.
- 4.3 The Council is therefore invited to consider delegating authority to make Section 91 orders to the Managing Director, in consultation with the Leader of the Council, political group leaders, local ward councillor(s), and the Monitoring Officer, in accordance with the proposed procedure set out in **Appendix 1**.

5. Financial Implications

- 5.1 There are minimal costs involved in drawing up the necessary order which can be met from existing budgets.

6. Legal Implications

- 6.1 Paragraph 12 of Part II of Schedule 12 to the 1972 Act states that: “

“...no business shall be transacted at a meeting of a parish council unless at least one-third of the whole number of members of the council are present at the meeting; but....in no case shall the quorum be less than three”.

Therefore, with only two parish councillors remaining, Normandy Parish Council is inquorate and currently unable to transact business at least until after the elections on 6 May 2021.

- 6.2 The Council is empowered under Section 91 of the 1972 Act to make an order to appoint persons as parish councillors on a temporary basis to fill all or any of the vacancies until other councillors are elected and take up office.
- 6.3 There are no qualifying/disqualifying criteria for such appointments (for example as to whether an appointee must be an elector living in the relevant parish). As stated in paragraph 3.2 above, the 1972 Act specifically refers to ‘persons’, and there is no description as to who would qualify – so it is open to the Council who appoint whomever it considers appropriate. This could theoretically include officers; however, it would seem more appropriate to appoint councillors to the role and only consider officers as a last resort.
- 6.4 Appointees do not have to make a declaration of acceptance of office.
- 6.5 If a sufficient number of parish councillors are elected to form a quorum (three), the temporary appointments will terminate immediately upon the newly elected parish councillors taking office.
- 6.6 Under Section 91 (3) of the 1972 Act, we are required to send two copies of the order to the Secretary of State.

7. Human Resource Implications

- 7.1 There are no human resource implications arising from the proposals contained in this report.

8. Equalities Implications

- 8.1 In line with the Public Sector Equality Duty, public bodies must, in the exercise of their functions, give due regard to the need to eliminate discrimination, harassment, victimisation, to advance equality of opportunity and foster good relations between those who share a protected characteristic and those who do not.
- 8.2 The contents of this report do not directly impact on equality, in that it is not making proposals that will have a direct impact on equality of access or outcomes for diverse groups.

9. Summary of Options

- 9.1 The Council could choose not to exercise its powers under Section 91, but this would leave Normandy Parish Council inquorate and unable meet to discharge its functions at least until after the newly elected parish councillors take office following the 6 May elections. This option is not recommended.
- 9.2 The Council is recommended to use its powers under Section 91 and appoint persons to act as parish councillors until such time as the elected councillors are able to meet as a quorate parish council.

10. Background Papers

None

11. Appendices

Appendix 1: Procedure for dealing with inquorate parish councils

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GUILDFORD BOROUGH COUNCIL

**PROCEDURE FOR THE TEMPORARY APPOINTMENT OF
PARISH COUNCILLORS TO PARISH COUNCILS**

Guildford Borough Council shall follow the procedure set out below in making an Order to appoint persons to parish councils in accordance with Section 91 of the Local Government Act 1972.

1. The Parish Clerk shall advise the Democratic Services and Elections Manager that the Parish Council is unable to operate due to being inquorate.
2. The Democratic Services and Elections Manager shall verify the number of seats on the Parish Council and that it is inquorate and identify the number of temporary appointments required for it to become quorate.
3. The Managing Director shall, after consultation with the Leader of the Council, political group leaders, the local ward councillor(s), and the Monitoring Officer, offer the temporary appointment of Parish Councillor in the order set out below. Any Councillor may decline the appointment, in which case the offer of appointment will continue in order until a quorum has been achieved, or where it is considered in the circumstances that further temporary appointments are necessary up to the maximum number of vacancies:
 - (a) Borough Councillor(s) for the ward in which the Parish is located
 - (b) County Councillor for the division in which the Parish is located
 - (c) Borough Councillor(s) with current or previous experience as parish councillors
 - (d) Borough Councillor(s) for adjacent wards in which the Parish is located
 - (e) Parish Councillor(s) from adjacent parishes within the Borough.
4. The Managing Director shall confirm all appointments by Order under Section 91(1) of the Local Government Act 1972. The Order shall stipulate the names of the persons appointed.
5. Persons appointed by Order shall remain as temporary parish councillors until other councillors are elected, or co-opted, and take up office, provided that such election or co-option achieves a quorum on the parish council, excluding the persons appointed by Order.
6. In circumstances where election or co-option fails to make the parish council quorate, excluding the persons appointed by Order, a quorum shall be achieved by the continuation of the temporary appointment of such persons appointed by Order as may be required for that purpose in the priority order (a) to (e) referred to in paragraph 3. above.

Example 1:

A parish council comprises a total of five members, and all five resign as parish councillors. In accordance with paragraph 3., the Borough Council appoints five persons as temporary parish councillors as follows:

Agenda item number: 7
Appendix 1

- (a) the local Borough ward councillor
- (b) the local County Councillor
- (c) a Borough Councillor with current experience as a parish councillor
- (d) a Borough Councillor representing an adjacent ward
- (e) a parish councillor from an adjacent parish council

Following receipt of 10 written requests from electors of the parish for an election to fill the five vacancies, an election is called but only one valid nomination is received. The candidate is declared duly elected, but the parish council remains inquorate.

In order to achieve a quorum of three,

- (a) the local Borough ward councillor and
- (b) the local County Councillor

would remain as persons appointed by Order, until such time as the parish council is able to co-opt to fill a sufficient number of vacancies to achieve the quorum, excluding those persons. The appointment of the persons referred to in (c), (d) and (e) above would terminate upon the candidate elected taking office.

Example 2:

A parish council comprises a total of five members, and all five resign as parish councillors. In accordance with paragraph 3., the Borough Council appoints five persons as temporary parish councillors as follows:

- (a) the local Borough ward councillor
- (b) the local County Councillor
- (c) a Borough Councillor with current experience as a parish councillor
- (d) a Borough Councillor representing an adjacent ward
- (e) a parish councillor from an adjacent parish council

Following the notice of vacancy, no election is called to fill the five vacancies. The parish council therefore seeks to co-opt five parish councillors, but following the process, only two candidates for co-option come forward; they are deemed suitable and their co-option is approved at a parish council meeting. However, the parish council remains inquorate.

In order to achieve a quorum of three,

- (a) the local Borough ward councillor

would remain as a person appointed by Order, until such time as the parish council is able to co-opt to fill a sufficient number of vacancies to achieve a quorum, excluding that person. The appointment of the persons referred to in (b), (c), (d) and (e) above would terminate upon the co-optees taking office.

7. In accordance with Section 91(3) of the Local Government Act 1972 the Democratic Services and Elections Manager will forward two copies of the Order to the Secretary of State. A copy will also be sent to the Clerk of the relevant Parish Council for information.

Council Report

Ward(s) affected: n/a

Report of Managing Director (Head of Paid Service)

Author: Francesca Smith, Lead Specialist HR

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Lead Councillor responsible: Joss Bigmore

Tel: 07974 979369

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Date: 4 March 2021

Amendments to Pay Policy Statement 2021-22

Executive Summary

The Public Sector Exit Pay Cap Regulations came into force on 4 November 2020. The regulations implemented a £95,000 cap on exit payments and the Council, at its meeting on 8 December 2020, approved the amended Pay Policy Statement 2020-21 to reflect the Regulations. The Pay Policy Statement 2021-22 for the next financial year was approved by the Council at its meeting on 10 February 2021. However, the Government revoked the Regulations on 12 February 2021. The Pay Policy Statement 2021-22 now needs to be amended.

This report will also be considered by the Employment Committee at its meeting to be held on Wednesday 3 March 2021. The Committee's recommendation will be reported on the Order Paper.

Recommendation to Council

That the proposed amendments to the Pay Policy Statement for the 2021-22 financial year, shown by way of tracked changes in Appendix 1 to this report, be approved.

Reason for Recommendation:

The Pay Policy Statement 2021-22 requires amendment following the Government's revocation of the Public Sector Exit Pay Cap announced on 12 February 2021.

Is the report (or part of it) exempt from publication? No

1. Background

- 1.1 The Public Sector Exit Pay Cap Regulations came into force on 4 November 2020. The regulations implemented a £95,000 cap on exit payments and the Council, at its meeting on 8 December 2020, approved the amended Pay Policy Statement 2020-21 to reflect the Regulations. The Pay Policy Statement 2021-22 for the next financial year was approved by the Council at its meeting on 10

February 2021. However, the Government revoked the Regulations on 12 February 2021. The Pay Policy Statement 2021-22 now needs to be amended.

- 1.2 The Pay Policy Statement currently contains reference to a termination pay cap of £95,000 for payments associated with a termination and refers to a Discretionary Waiver process. This needs to be removed from paragraphs 3.2, 10.4 and 12.5 within the document.
- 1.3 The proposed amendments to the Pay Policy Statement for 2021-22 are shown in Appendix 1.

2. Financial Implications

- 2.1 There are no financial implications associated with making the amendments to the Pay Policy Statement.

3. Legal Implications

- 3.1 Under Section 39 of the Localism Act 2011, the Council is required to consider and approve a pay policy statement each year. The Act also requires that we make provision for Council to make in year amendments to the statement at any time and this function cannot be delegated.
- 3.2 The amendments to the Pay Policy Statement 2021-22 recommended in this report are necessary for legal compliance.

4. Conclusion

- 4.1 The proposal seeks to amend the Pay Policy Statement 2021-22 in accordance with the law.

5. Background Papers

None

6. Appendices

Appendix 1 Proposed amended Pay Policy Statement 2021-22



PAY POLICY STATEMENT FINANCIAL YEAR 2021-2022

1. Introduction

- 1.1 In determining pay and remuneration, the Council recognises the need to exercise the greatest care in managing scarce public resources while securing and retaining high quality employees. We believe that the principle of fair pay is important to the provision of well-managed services and are committed to ensuring fairness and equity in our remuneration practices.
- 1.2 The level of remuneration is a very important factor in both recruitment and retention. We therefore need to balance affordability and value for money with creating a remuneration framework that ensures we can recruit, retain, motivate and develop employees who have the skills and capabilities necessary to ensure the continued provision of high-quality services.
- 1.3 We aim to design our pay policies, processes and procedures to ensure that pay levels are appropriately aligned with, and properly reflect, the relative demands and responsibilities of posts, together with the knowledge, skills and capabilities necessary to ensure that the post's duties are undertaken to the required standard.

2. Purpose

- 2.1 The aim behind this Pay Policy Statement is to ensure that our approach to pay is transparent, to enable local taxpayers to take an informed view of whether local decisions on all aspects of remuneration are fair and to make the best use of public funds.
- 2.2 This policy statement is in accordance with sections 38 to 43 of the Localism Act 2011 (the Act), that requires local authorities to publish an annual pay policy statement for the forthcoming financial year including:
 - the remuneration of our most senior employees (which the Act defines as the Head of Paid Service, the Monitoring Officer, Chief Officers, and Deputy Chief Officers, i.e. managers who report directly to a Chief Officer)
 - the remuneration of our lowest-paid employees and the relationship between the remuneration of our senior employees and that of other employees.

3. Legislation

- 3.1 The Secretary of State has produced guidance on the Act's provisions relating to openness and accountability in local pay, to which we must have regard.

This statement takes full account of this guidance as well as the provisions of the Act. This includes ensuring that there is an appropriate relationship between the pay levels of our senior managers and of all other employees.

3.2 It also takes account of:

- the Local Government Transparency Code 2015 issued by the Department for Communities and Local Government in February 2015
- Openness and Accountability in Local Pay: Guidance under S40 of Localism Act 2011 issued in February 2012
- Openness and Accountability in Local Pay: Guidance under S40 of Localism Act 2011 Supplementary Guidance issued in February 2013
- guidance issued by the Joint National Council (JNC) for Local Authority Chief Executives on pay policy statements, published in November 2011 and supplementary notes published in January and March 2012
- ~~The Restriction of Public Sector Exit Payment Regulations 2020~~
- Employment and equalities legislation affecting local authority employers, where relevant.

This statement also refers to information we are already required to publish under other legislation for example the information on the level of remuneration paid to senior managers, as required by The Accounts and Audit Regulations 2015.

4. Overall approach to pay

4.1 In relation to other organisations in all sectors across the UK, we are a large, complex organisation providing a very diverse range of services. Many of these services are vital to the wellbeing of individuals and groups of residents in our local community. These can be delivered in very challenging circumstances, which means the Council must take account of the levels of need and ensure the availability of resources to meet them.

4.2 We compete with other local employers to recruit and retain managers capable of meeting the challenges of delivering our services to the required standards. This has an important bearing on the levels of remuneration we offer. At the same time, as outlined in section 1.2 we are obligated to secure the best value for money for our residents and taxpayers in taking decisions on our pay levels. We believe that we achieve a fair balance between these competing pressures.

4.3 Our overall approach to remuneration for all employees, including senior management is based on:

- compliance with equal pay, discrimination and other relevant employment legislation such as the Equality Act 2010, plus
- ensuring that our overall remuneration packages align with market norms for local government and public sectors while at the same time taking account of:
 1. pay levels in the local area, including neighbouring public sector employers
 2. the relative cost of living in the local area, particularly housing costs

3. the fact that responsibilities and accountabilities of particular posts may be very demanding
 4. individual performance.
- 4.4 In the application of our pay framework, the council takes into account market rates, individual performance and the need for consistency in the way pay bandings are applied. All pay differentials can be objectively justified using job evaluation mechanisms that directly establish the relative levels of posts in pay bands according to the requirements, demands and responsibilities of the post.
- 4.5 Our pay rates and grading structure are determined locally.

5. Remuneration of senior management

- 5.1 This section covers the remuneration of our most senior employees, who are responsible for working with elected councillors to determine the overall strategic direction of the Council. They develop and manage a wide range of services to ensure they are economic, efficient and effective and have appropriate governance arrangements. In the context of this policy, senior management is defined as:
- the Managing Director (who is the designated Head of Paid Service)
 - the Council's Monitoring Officer (that is the officer responsible for ensuring the Council's compliance with the law in all its activities)
 - first tier officers; our Directors who report to and are directly accountable to the Head of Paid Service
 - second tier officers; our officers who are directly accountable to our first tier officers for the management and provision of individual elements of the Council's services.
- 5.2 In terms of pay differentials, we recognise that the Managing Director leads our workforce and has the greatest level of accountability, and so warrants the highest pay level in the organisation. Our Directors undertake a senior, collective and corporate responsibility for supporting the Managing Director in delivering high quality services to our communities. We have reflected this in the level of remuneration for these roles.
- 5.3 Below this level, we recognise that the demands on and accountabilities of different management roles vary considerably, and we seek to align pay levels with the relative importance and responsibilities of jobs using the Greater London Provincial Council (GLPC) job evaluation scheme.
- 5.4 Annual salary levels for our senior management are set in accordance with the overall principles set out in section 4 above. For our Managing Director, Directors and second tier officers, salaries consist of grade ranges that are determined locally. These grade ranges consist of a number of incremental salary points, through which employees may progress, subject to satisfactory performance, until they reach the top of the grade.
- 5.5 The salary ranges for our senior management posts are summarised in the following table. The pay award for 2021 has not yet been determined and will be implemented on 1 July 2021:

Senior role	Salary range
Managing Director	£130201 - £136384
Director	£86759 - £99686
Second tier officers as defined in section 5.1	£41978 - £77581

- 5.6 The following paragraphs outline the elements of remuneration that we offer to senior management in addition to those that are available to all our employees as outlined in section 11 of this statement.

Element of remuneration								
<p>Deputy Managing Director payment: Our Directors have a shared responsibility to deputise for the Managing Director in his absence. An annual payment of £3260 will be made to each Director to reflect these additional responsibilities.</p>								
<p>Acting-up or payment for additional responsibility: Where employees are required to act-up into a higher-graded post or take on additional responsibilities beyond those of their substantive post, for a temporary or time-limited period, they may receive an additional payment in recognition of the extra responsibilities. Before we make any such payment, we will assess whether the additional work entailed is sufficiently demanding to warrant an additional payment.</p> <p>Our policy is to make a payment to those senior management officers for additional responsibilities in respect of statutory roles as follows:</p> <p>Section 151 Officer (Chief Financial Officer) - £5,300 per annum Monitoring Officer - £5,300 per annum Deputy Monitoring Officer - £1,500 per annum Deputy Section 151 Officer - £1,500 per annum Data Protection Officer - £3,000 per annum Senior Information Risk Officer and Senior Authorising Officer for RIPA - £3,000 per annum</p> <p>These payments will not be reduced where there is a requirement for two officers to share the responsibilities of Deputy Monitoring Officer and/or Deputy Section 151 Officer.</p>								
<p>Car provision: We offer a subsidised lease car scheme to our senior employees at pay band 9 and above. Below shows the level of subsidy for our senior management for 2021-2022:</p> <table> <tbody> <tr> <td>Managing Director</td> <td>£6120</td> </tr> <tr> <td>Directors</td> <td>£5765</td> </tr> <tr> <td>Head of Service and Band 10</td> <td>£4671</td> </tr> <tr> <td>Band 9</td> <td>£3392</td> </tr> </tbody> </table> <p>We insure any vehicle provided, however, the employee is required to pay the excess should any claims be made. If senior management employees do not take up their lease car entitlement and use their own</p>	Managing Director	£6120	Directors	£5765	Head of Service and Band 10	£4671	Band 9	£3392
Managing Director	£6120							
Directors	£5765							
Head of Service and Band 10	£4671							
Band 9	£3392							

car for travel on Council business, we compensate them in the same way as other employees who are authorised to use their own car on Council business. This is in accordance with the provisions and rates for Essential Users agreed by the National Joint Council for Local Government Services.

Lump sum payments:

We pay lump sum allowances to the Managing Director, Directors, Heads of Service and employees on Band 10 level to cover travel, subsistence or other incidental costs. The sum ranges from £534 up to £1803 per annum for employees who have taken up their lease car entitlement, with adjustments made if employees choose to use their own cars as an alternative to taking up their lease car entitlement.

Health Screening

We fund biennial health checks for the Managing Director and our Directors.

6. Remuneration of our lowest paid employees

- 6.1 This section outlines our policy in relation to the remuneration of our lowest-paid employees. We define our lowest paid employees as those paid on the lowest grade, that is Band 1, of the Council's pay and grading structure, currently starting at £18,586 per annum.
- 6.2 In setting pay levels and determining any pay award, we take into account the needs of our lowest paid employees. For example, we pay a minimum of £5.00 per hour for apprentices rather than the minimum national hourly rate of £4.15.
- 6.3 We also pay above the National Minimum Wage (the Government's minimum rate for under 25's), the National Living Wage (the Government's minimum rate for over 25's) and above the Real Living Wage (for outside London) at the bottom of our pay scale.

7. Pay relationships

- 7.1 This section sets out our overall approach to ensuring pay levels are fairly and appropriately dispersed across the organisation including the Council's current pay multiple. The 'pay multiple' is the ratio between the highest paid salary (the Managing Director) and the median average salary of our workforce.
- 7.2 The Council's current pay multiple (as at December 2020) is 1:4.72.
- 7.3 We consider that the current pay multiple, as identified above, represents an appropriate, fair and equitable internal pay relationship between the highest salary and that which applies to the rest of the workforce.

8. Remuneration on appointment and re-employment

- 8.1 All newly appointed staff normally start on the lowest point in the pay range for their job evaluated post. Successful candidates may be appointed at a

higher point, where it is considered that they already possess the skills and experience needed to justify a higher salary.

- 8.2 In certain circumstances, should a new employee, including senior management need to move house in order to take up an appointment with the Council, we will reimburse their removal, legal and other associated relocation costs. This is in accordance with the Council's Relocation Scheme that sets maximum limits on the levels of payment and requires repayment in part or in full if the employee leaves the Council within five years of appointment. Occasionally the Council may agree a more flexible arrangement if the appointment is on a fixed-term basis.
- 8.3 The Repayment of Public Sector Exit Payment Regulations are likely to be implemented during 2021. Under these regulations termination payments made to staff on salaries above £80,000 per annum will be fully or partly recovered if those staff are re-employed within the public sector within the 12 months following the date of their termination. This restriction affects the posts of Managing Director and Directors. The Council can agree to waive the recovery payment in exceptional circumstances.
- 8.4 In the event that we employed a senior manager who is already in receipt of a pension under the LGPS, the rules on abatement of pensions adopted by the Council's Administering Authority for the LGPS, pursuant to Regulations 70 and 71 of the the Local Government Pension Scheme (Administration) Regulations 2008 must be applied. These currently provide that there will be no abatement of pension in these circumstances.

9. Pay progression and award

- 9.1 The Council's pay policy is based on a locally determined pay and grading structure that comprise of pay bands with a number of incremental points. An employee's pay progression will normally be one increment (pay spine column point within a band) on 1 July each year, until the top of the grade band is reached. Pay progression is subject to satisfactory performance and behaviours that are assessed as part of the Council's performance review process. There is no scope for accelerated progression beyond one increment per annum or for progression beyond the top of the pay band.
- 9.2 We review salaries in the light of pay movements for other employees, pay movement elsewhere, and other changes in the economy, to determine whether any general or cost-of-living pay award is necessary or justified.
- 9.3 Depending on the Council's financial situation, we may agree a cost-of-living increase for all staff from 1 July each year or there may be no increase at all. The Managing Director agreed an award of 2 per cent for all staff in 2020-2021.
- 9.4 We do not pay any bonuses or non-consolidated performance contribution payments.

10. Payment upon termination of employment

- 10.1 Senior management who cease to hold office or be employed by the Council will receive payments calculated using the same principles as any other

employee, based on entitlement within their contract of employment, their general terms and conditions and existing policies.

10.2 Any termination or severance payment we make to any of our employees (in the interests of efficiency of the service or on grounds of redundancy) will be made in accordance with the statutory terms under the Local Government Pension Scheme (LGPS) or the Local Government (Early Termination of Employment) (Discretionary Compensation) (England and Wales) Regulations 2006, as applicable.

10.3 Statements of policy on the exercise of discretions within the LGPS and the Discretionary Compensation Regulations do not amount to any contractual commitment to individual employees on future severance payments.

~~10.4 Termination payments made to staff will be capped at £95,000. This figure will include all payments associated with the termination such as payments relating to pension augmentation and pension strain, redundancy payments and severance payments. (See section 12.5).~~

11. Remuneration policies common to all employees

11.1 The following elements of remuneration are determined by corporate policies or arrangements that apply to all permanent staff of the Council (including the Managing Director and Director), regardless of their pay level, status or grading within the Council:

- **Contracts:** Our standard policy is to engage employees on standard contracts of employment and to apply pay-as-you-earn (PAYE) taxation arrangements to all remuneration under those contracts in accordance with HMRC rules, unless there are exceptional circumstances approved by the Managing Director, such as a contract for service which mean that an alternative mode of engagement is appropriate.
- **Engagement of workers through intermediaries:** Where individuals are working for the Council through an intermediary such as their own limited company or a consultancy firm, or an employment agency, and are working in the same way as our own employees, the payer will be liable to pay associated income tax and National Insurance Contributions (NICs). Genuinely self-employed workers will not be covered by this requirement (commonly known as IR35) and will continue to make their own assessment and payment arrangements for income tax and NICs
- **Pension Scheme:** Employees have a right to join the Local Government Pension Scheme (LGPS) in accordance with the statutory provisions of the scheme. The percentage an employee pays is based on individual earnings and ranges from 5.5 per cent to 12.5 per cent of pay. The employer's contribution rate for all staff that join the scheme is currently 17.2 per cent of salary.
- **Flexible retirement:** The LGPS regulations permit us to offer flexible retirement to all employees aged 55 or over, so that they can reduce their hours of work and/or their level of responsibility, and receive some or all of their pension benefits. We would expect to see a reduction of 40-50 per

cent in salary through either reduced hours or responsibility.

11.2 The other elements of remuneration we offer to all our employees, in addition to those already outlined in section 5, are set out in the following table.

Element of remuneration
<p>Overtime or additional hours working: Employees below Band 6 who are required to work beyond the Council's normal full-time equivalent working week of 37 hours or work other non-standard working patterns, as listed below, may receive enhanced payments in accordance with the provisions of our local schemes of conditions of service covering:</p> <ul style="list-style-type: none"> • overtime or additional hours • weekend working • bank holidays (public and extra statutory holidays). <p>Conditions of service vary across services and any entitlements to enhanced payments are set out in the employee's statement of terms and conditions of employment (the contract).</p>
<p>Market rate supplements: Our job evaluation scheme does not take into account market factors such as market pay rates relating to specific jobs or fluctuating demand for skills in the marketplace. The Council recognises therefore, that there may be occasions where it is necessary to pay a market rate supplement in addition to base salary in order to recruit or retain staff.</p> <p>The Market Rate Supplement Policy ensures a clear and systematic process is followed in considering the potential for a supplement and for identifying the relevant 'market rate' for any specific post, or group of posts. The policy ensures that relevant considerations are taken into account, both initially and at every subsequent two-yearly review and ensures that a consistent approach is applied across the Council with regard to:</p> <ul style="list-style-type: none"> • the circumstances in which a market rate supplement is considered, • the monetary value of any supplement, and • the duration of the supplement and the review period that will apply.
<p>Standby and/or call-out payments: Employees who are required to be on standby at times which are outside their normal working week or who may be called-out to attend to an issue at the Council's premises or other location may receive an additional payment in accordance with the provisions of the relevant Council policy.</p>
<p>Car travel reimbursement: We compensate all our employees who are authorised to use their own car on Council business in accordance with the provisions and rates for Essential and Casual Users agreed by the National Joint Council for Local Government Services.</p>
<p>Payment of professional subscriptions or membership fees: We will pay one professional membership fee or subscription on behalf of</p>

<p>employees graded at Band 6 or above, up to and including the Managing Director. Below Band 6, we will pay one professional membership fee or subscription on behalf of employees where it can be shown that the membership or subscription is necessary for the effective performance of the employee in their job.</p> <p>In exceptional circumstances the Council will pay two subscriptions where there is a requirement for one of the subscriptions due to the persons role.</p>
<p>Subsistence or other expenses allowance: We reimburse expenditure on meals (except alcohol) and accommodation, within reasonable set limits, and any other expenses necessarily incurred by all employees on Council business if agreed in advance.</p>
<p>Provision of mobile telephones: Mobile telephones are provided to employees on the basis of business need where they are necessary to enable them to undertake their duties effectively. We fund the cost of business calls only.</p>
<p>Fees for Election duties: Sources of funding for elections in England vary according to the type of election.</p> <p>The Managing Director is the Council's Returning Officer who has overall responsibility for the conduct of elections and is appointed under the Representation of the People Act 1983. The Ministry of Justice, who set the fees to be paid to the Returning Officer, provides the costs of running UK Parliamentary general elections and European Parliamentary elections. Elections fees are paid for these additional duties and they are paid separately to salary.</p> <p>The costs of parish, borough and county elections are met through local authority budgets and vary according to the size of the electorate and number of postal voters. A scale of fees for Returning Officers, polling station and count staff is set annually in line with the Surrey wide scheme.</p>
<p>Child care: A childcare salary sacrifice scheme is available to those employees who are eligible via the HMRC-approved scheme. We make no direct subsidy towards childcare costs.</p>
<p>Staff loans All employees have access to loans that are offered at preferential rates for:</p> <ul style="list-style-type: none">• the purchase of cars/bicycles and/or• the purchase of season tickets for the purposes of travel to work.
<p>Private medical insurance: We offer private medical insurance to employees who are employed in posts at Band 6 or above in our pay and grading structure. Premiums are kept to a minimum by regular tendering exercises, and individual employees can pay additional premiums to enhance the basic level of cover which the Council funds.</p>

Other staff discount and benefits schemes:

We currently provide all employees access to an employee discount scheme. This offers employees the chance to purchase a range of goods and services at discounted rates from a variety of suppliers.

We provide access for all of our employees to an Employee Assistance Programme (EAP). EAPs are intended to help employees deal with personal problems that might adversely impact their work performance, health, and wellbeing.

The EAP offers cover for the employee and their immediate family members who reside at the same address, including children in full-time education up to the age of 24. The service provides access to:

- Stress helpline
- Structured telephone counselling
- Referral to face to face counselling
- Referral to serious illness and accident support
- Tax advice
- Legal advice (*the EAP will not provide employment law advice*)
- Eldercare
- Childcare
- Medical information

12. Decision making on pay

- 12.1 We recognise the importance of ensuring openness and transparency and high standards of corporate governance, with clear lines of accountability in our pay decision-making processes and procedures. Any pay-related decisions must be capable of public scrutiny, be able to demonstrate proper and appropriate use of public funds and ensure value for money. The arrangements we have in place are designed to reflect these requirements, as well as ensuring compliance with all relevant legislation and other statutory regulation.
- 12.2 Depending on the economic climate and the Council's current financial situation, we may agree a cost-of-living increase for all staff. The Managing Director in consultation with the Leader agrees the award provided it is within the available budget. The Council agrees any increase for the Managing Director and the Directors.
- 12.3 The provisions of this Pay Policy Statement will apply to any determination made by the Council in the relevant financial year in relation to the remuneration, or other terms and conditions, of our senior managers and of the lowest paid employees, as defined in this statement. We will properly apply and fully comply with the provisions of this pay policy in making any such determination.
- 12.4 Any proposal to offer a new senior appointment on terms and conditions which include a total remuneration package of £100,000 or more, including salary, fees, allowances and any benefits in kind to which the officer would be entitled as a result of their employment (but excluding employer's pension contributions), will be referred to the Council for approval. This will be before

any offer is made to a particular candidate.

~~12.5 The cap on exit payments of £95,000 may be waived in some circumstances subject to Ministerial approval. Discretionary Waivers can be made where the cap will cause undue hardship, to assist workplace reform, and where the exit has been delayed by the employer. Any proposal to exercise a waiver and make a termination payment above £95,000 will be referred to the Council for approval and will only be agreed in exceptional circumstances (See section 10.4) In the event of such a payment being proposed, a detailed breakdown of the components (for example redundancy pay, pension, pension strain, severance payment) will be provided for councillors. The waiver will then require approval from the MHCLG and HMT Ministers.~~

13. Review and policy amendment

13.1 We will review the statement annually and approve a new version of the policy before the start of each subsequent financial year. If we choose, or need, to amend the statement during the course of any financial year this will be by resolution of the Council.

14. Publication of and access to information

14.1 As soon as is reasonably practicable following approval by full Council, we will publish this pay policy statement on our website at <http://www.guildford.gov.uk/transparencydata> Any subsequent amendments to this statement made during the financial year will be similarly published.

14.2 The information required to be published by the Council in accordance with the requirements of The Local Government Transparency Code 2015, and in accordance with the requirements of the Accounts and Audit (England) Regulations 2015, as referred to in this pay policy statement, is also available on our website.

14.3 We are also required to publish information about the remuneration of senior officers under The Accounts and Audit (England) Regulations 2015. This information is available in the annual accounts, which we publish on our website.

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