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The Chair and Members of Joint  
Cabinet and Employment & General  
Committee

12 February 2024

Dear Councillor,

Please attend a meeting of the JOINT CABINET AND EMPLOYMENT & GENERAL COMMITTEE to be held on TUESDAY, 20 FEBRUARY 2024 at 10.30 am in Committee Room 1, Town Hall, the agenda for which is set out below.

AGENDA

Part 1(Public Information)

1. Declaration of Members' and Officers' Interests relating to items on the Agenda
2. Apologies for Absence
3. Minutes

The Minutes of the Joint Cabinet and Employment and General committee held on Monday 5 February 2024 would be available for members to approve at the next scheduled meeting of the Joint Cabinet and Employment and General committee on Tuesday 19 March 2024.

4. Senior Pay Policy (Pages 3 - 16)
5. Exclusion of Public

To move "That under Regulation 21(1)(b) of the Local Authorities (Executive Arrangements)(Access to Information) (England) Regulations

2000, the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in the following Paragraphs of Part 1 of Schedule 12A to the Local Government Act 1972.”

On the grounds that.....

Part 2 (Non Public Information)

6. Transform the delivery of CCTV operations using improved technology (Pages 17 - 50)
7. Sport and Leisure Services Review (Pages 51 - 116)

Yours sincerely,

A handwritten signature in black ink, appearing to be 'Randy', written in a cursive style.

Head of Regulatory Law and Monitoring Officer

## For publication

### Approval of the Senior Pay Policy Statement 2024-25

<b>Meeting:</b>	Joint Cabinet Employment and General Committee Council
<b>Date:</b>	20 February 2024 28 February 2024
<b>Cabinet portfolio:</b>	Customers and Business Transformation
<b>Directorate:</b>	Digital, HR and Customer Services

#### **1.0 Purpose of the report**

- 1.1 The Council is required to prepare a Senior Staff pay policy statement each year that sets out its approach to recognising and rewarding its Chief Officers in a fair, consistent, and equitable manner. The statement must be considered at Full Council each year and cannot be devolved to any other person or committee.

#### **2.0 Recommendations**

- 2.1 That Council approves the Senior Staff pay policy statement for 2024–25 as set out in Appendix 1 to this report.

#### **3.0 Reasons for recommendations**

- 3.1 Approval and publication of this report enables elected members of Chesterfield Borough Council to comply with the requirements of the Localism Act 2011 and with the Local Government Transparency Code 2015 relating to the pay of its Chief Officers.

#### **4.0 Report details**

- 4.1 Section 38 - 42 of the Localism Act 2011 requires that Chesterfield Borough Council prepares a pay policy statement for Chief Officers each financial year. The statement must be approved by Full Council and must

be published on the Council's website. This action helps to increase public transparency and ensures local democratic accountability on pay.

- 4.2 The Act requires the Council to set out its policy on pay for its highest paid employees alongside policies towards its lowest paid employees. The requirement, introduced following Will Hutton's 2011 Review of Fair Pay in the Public Sector, reflects concerns over low pay within the Public Sector. The Act requires the Council to explain what it thinks the relationship should be between the remuneration of its Chief Officers and other employees. To help with this understanding, the Council monitors, and reports on the ratio between the highest and lowest paid employees (based on full time equivalent costs). The Council also monitors and reports on the ratio between its highest salary and median (the middle value) salary. This figure is known as a pay multiple and must not exceed 20:1.
- 4.3 In 2024-25 the pay multiple between the highest and lowest paid staff is 5.44:1
- 4.4 In 2024-25 the pay multiple between the highest and median paid staff is 4.01: 1. This is the lowest reported pay multiple achieved by the Council since monitoring and reporting of this measure has been implemented.
- 4.5 Chesterfield Borough Council's Senior Pay Policy Statement complies with legislation set through the statutory powers of the Localism Act 2011 and defines the pay structure for Chief Officers who are employed by the Council. The policy is reviewed annually and guides senior officer remuneration decisions.
- 4.6 If changes are made to Chief Officer pay and conditions during the financial year, the pay policy statement will be updated and republished.

## **5.0 Alternative options**

- 5.1 As publication of the Senior Pay Policy Statement is a legislative requirement, no alternative options have been considered.

## **6.0 Implications for consideration – Financial and Value for Money**

- 6.1 There are no direct financial implications arising from the recommendations in this report. The report and its attachment outline current arrangements regarding pay for chief officers and other staff. Any resultant costs are contained within existing employee budgets.

## **7.0 Implications for consideration – Legal**

7.1 Annual approval and publication of the Senior Pay Policy enables the Council to meet the legislative requirements set out in the Localism Act 2011 and the Local Government Transparency Code 2014.

**8.0 Implications for consideration – Human Resources**

8.1 The Senior Pay Policy statement sets out a pay structure and remuneration package for Chief Officers which is transparent. It enables Elected Members, supported by the Human Resources team, to apply consistent pay and reward when undertaking recruitment for chief officer posts and reflects pay levels which are deemed adequate to secure and retain high quality employees who are dedicated to delivering public services within the borough.

8.2 A benchmarking and job evaluation exercise was completed in 2020 to ensure that chief officer pay is comparable to that of other Local Authorities. Re-evaluation will be undertaken at least every five years to ensure it remains fit for purpose.

**9.0 Implications for consideration – Council Plan**

9.1 The senior pay policy enables recruitment of employees who have the right skills and competence to enable the successful achievement of the activities set out in the Council Plan.

**10.0 Implications for consideration – Climate Change**

10.1 The senior pay policy does not generate any negative climate change implications for consideration.

**11.0 Implications for consideration – Equality and diversity**

11.1 The policy does not impact on specific groups or those with protected characteristics. The statement covers all paid staff within the Council.

**12.0 Implications for consideration - Risk management**

Description of the Risk	Impact	Likelihood	Mitigating Action	Impact	Likelihood
Failure to adhere to legislative requirements	H	L	Legislative requirements are reviewed annually, and the statement is developed accordingly.	H	L
Failure to update and publish the statement on an annual basis	H	L	The policy is reviewed annually and when	H	L

			recruitment of senior roles is required. Clear decision-making timetables will help ensure that statutory deadlines are achieved.		
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### Decision information

<b>Key decision number</b>	<i>All key decisions must be in the Forward Plan at least 28 days in advance. There are constitutional consequences if an item is not in the Forward Plan when it should have been. Contact Democratic Services if in doubt.</i>
<b>Wards affected</b>	All wards

### Document information

<b>Report author</b>	
<i>Rachel O'Neil, Service Director, Digital, HR and Customer Services</i>	
<b>Background documents</b>	
These are unpublished works which have been relied on to a material extent when the report was prepared.	
<i>This must be made available to the public for up to 4 years.</i>	
<b>Appendices to the report</b>	
Appendix 1	Senior Pay Policy 2024-25

# Senior Pay Policy and Guiding Principles 2024/2025

**Prepared by:** Human Resources

**Date:** January 2024

**For Review:** January 2025



## **Senior Pay Policy Statement**

### **1. Introduction**

- 1.1 The Localism Act 2011 requires the council to publish a Senior Pay Policy Statement for each financial year. This statement relates to the year 2024 – 2025 and is approved by Council.

### **2. Scope**

- 2.1 The Senior Pay Policy Statement describes our policies towards the pay of senior managers (referred to in the Localism Act as Chief Officers) and our approach to the pay of our lowest paid employees.
- 2.2 The Council's Corporate Leadership Team are senior leaders within Chesterfield Borough Council and are in scope of this policy statement. The following posts make up the Corporate Leadership Team.
- Chief Executive, (Head of Paid Service)
  - Executive Directors x 2,
  - Service Director Corporate
  - Service Director Digital, HR, and Customer Services
  - Service Director Economic Growth
  - Service Director Finance (Section 151 statutory officer)
  - Service Director Housing
  - Service Director Leisure, Culture and Community Wellbeing, and
  - Head of Regulatory Law (Monitoring Officer statutory officer).
- 2.3 An Executive Director post is currently vacant and is expected to be deleted from the establishment during this financial year.

### **3. Remuneration**

- 3.1 The term remuneration is used to describe salary and other payments, including additions to pay, bonus or other form of performance related pay and other monetary allowances or benefits in kind.
- 3.2 Where the remuneration package of any post exceeds £100,000, full council will be given the opportunity to approve it.
- 3.3 All senior managers are paid via the Council's payroll with appropriate tax and National Insurance deductions made in accordance with HMRC regulations.
- 3.4 On occasion, a senior manager post may need to be engaged on an interim basis and in this instance, individuals may be recruited on a self-employed basis, or they may work through another company. In all such cases appropriate determination of whether the post is inside or outside of IR35 is undertaken to ensure full compliance with HMRC regulations.



#### **4. Equal pay**

- 4.1 The Council is committed to and supports the principle of equal pay for all its employees. Equal pay between men and women is a legal right. The Equality Act 2010 requires employers not to discriminate on grounds of sex, gender reassignment, race and disability and similar rules apply to sexual orientation, religion, pregnancy and maternity and age.

#### **5. Negotiating bodies and councillor oversight**

- 5.1 The Authority applies terms and conditions of employment to its employees that have been negotiated and agreed through appropriate collective bargaining mechanisms (national or local) or which have been made because of local agreements which have been determined by Council or by Joint Cabinet and Employment and General Committee, in line with the Council's constitution.
- 5.2 Chesterfield Borough Council works closely in partnership with Trade Unions when agreeing pay and conditions and is guided by several national negotiating bodies. These are:
- The Joint National Council (JNC) for Local Authority Chief Executives,
  - The JNC for Local Authority Chief Officers,
  - The National Joint Council for Local Government Services (known as Green Book terms and conditions), with a local collective agreement in place,
  - Joint Negotiating Committee for Local Authority Craft and Associated Employees (known as Red Book terms and conditions), with local pay arrangements in place.

#### **6. Salaries**

- 6.1 Chesterfield Borough Council recognises that, in the context of managing scarce public resources, remuneration at all levels needs to be adequate to secure and retain high quality employees who are dedicated to delivering public services, whilst at the same time not being unnecessarily generous and excessive.
- 6.2 It is recognised that senior management roles in local government are complex and diverse, with managers working in a highly politicised environment where often national and local pressures conflict. If the council is to maintain its high performance, then it must be able to attract and retain high calibre leaders to deliver the complex agenda.
- 6.3 Senior staff salary benchmarking was undertaken in 2020. Further benchmarking exercises will be undertaken at least every five years, to provide reassurance that remuneration remains at adequate levels for these posts.

### **Chief Executive salary**

- 6.4 The Chief Executive is employed under the terms and conditions of service of the Joint Negotiating Committee (JNC) for Local Authority Chief Executives.
- 6.5 The benchmarking and evaluation report received in 2020 recommended that the salary for the post of Chief Executive be uplifted to £120,000, increasing annually by agreed pay rises which are negotiated annually by the JNC for Local Authority Chief Executives.
- 6.6 Given the financial burdens not only on the council but the wider economy, the current Chief Executive chose not to accept the increased salary level proposed in 2020 and his salary remains 5% lower than entitlement.

### **Executive Director and Service Director salaries**

- 6.7 The Executive Director and Service Director posts are employed under the terms and conditions of service of the Joint Negotiating Committee for Local Authority Chief Officers.
- 6.8 The Executive Director and Service Director posts are appointed on a spot salary and receive annual pay rises negotiated by the JNC for Local Authority Chief Officers.
- 6.9 A summary of Senior Staff Remuneration in 2024 – 2025 is detailed in the table below. Annual salary is shown net of any Tax, National Insurance and Pension contributions which are paid by Chesterfield Borough Council.

<b>Post</b>	<b>Annual Salary*</b>	<b>Additional remuneration received</b>
Chief Executive	£121706	Elections allowances
Executive Director	£101,315	None
Service Director Corporate	£83,409	None
Service Director Digital, HR, and Customer Services	£83,409	None
Service Director Economic Growth	£83,409	None
Service Director Finance	£83,409	None
Service Director Housing	£83,409	None
Service Director Leisure, Culture and Community Wellbeing	£83,409	None
Head of Regulatory Law**	£57401	Monitoring Officer allowance

\*The annual salary will increase by the pay award to be applied to the 2024-25 financial year once national agreement is reached.

\*\*The Head of Regulatory Law is paid using NJC Green Book pay arrangements and receives a supplementary allowance to undertake the statutory role of monitoring officer.

### **Green Book Pay Arrangements**

- 6.10 Most employees within the Council are remunerated using the National Joint Council (NJC) Local Government Single Status 'Green Book' pay arrangements (excluding Craft workers and Chief Officers). Posts are evaluated using the Gauge job evaluation system and allocated to an established grading structure. The job size determines a job's placement against the NJC pay spine, typically with several scale points allocated to each grade. Staff have the potential to move through the grade by incremental progression to each scale point each year.
- 6.11 The pay spine is increased each year in accordance with pay award settlements which are determined by the National Joint Council for Local Government Services.
- 6.12 Posts are advertised and appointed to at the appropriate approved salary for the post unless there is evidence that a successful appointment of a person with the required knowledge, experience, skills, abilities, and qualities cannot be made without varying the remuneration package. In such cases, there is an element of flexibility that allows the payment of market supplements to specific roles that are recognised as "hard to fill". Payment is subject to justification against external data and with periodic review. Any supplement will be approved through the Authority's appropriate decision-making process.

### **Craft Worker Pay Arrangements**

- 6.13 Craft workers employed on Joint Negotiating Committee for Local Authority Craft and Associated Employees 'Red Book' terms and conditions receive a basic salary and an additional productivity payment which is aligned to the volume of work an individual completes. The basic salary is increased in accordance with national pay award settlements which are negotiated annually by the Joint Negotiating Committee for Local Authority Craft and Associated Employees. Productivity payments are determined using a schedule of rates which is reflective of the commercial market. The schedule of rates is not guaranteed to be reviewed and amended on an annual basis.

### **Pay Awards**

- 6.14 The pay award applied to Chief Officers and Chief Executives in 2023 was 3.5%.
- 6.15 The pay award applied to employees on green book and red book terms and conditions in 2023 was an increase of £1925 and an increase of 3.88% on all pay above the maximum of the pay spine and on allowances.
- 6.16 The pay offer for 2024 – 2025 has not yet been proposed. Salaries will be uplifted once national negotiations are completed.

### **Incremental Progression**

- 6.17 On taking up employment, individuals will normally start at the bottom scale point of the appropriate grade; however, there is discretion to

appoint at a higher point depending on skills, experience and any market factors which could impact on the ability to otherwise recruit to the post. A Service Director has delegated authority to make this decision.

- 6.19 In the case of a Chief Officer appointment, this decision would be made by the Chief Executive. The Appointments Panel would make this decision for any Chief Executive appointment (in accordance with the council's constitution).

## **7. Other remuneration**

### **Special allowances**

- 7.1 A special allowance is paid for the responsibility of Monitoring Officer. This role is undertaken by an employee at Tier 4 of the organisation.

### **Overtime**

- 7.2 Senior managers are not eligible to receive overtime for excess hours worked. Where hours are worked outside of 'normal office hours' senior managers do not receive additional payment.

- 7.3 Where service demands require additional hours to be worked by non-senior staff above the full time equivalent of 37 hours, overtime rates apply. Rates are determined in accordance with conditions of service.

### **Expenses**

- 7.4 In line with all other staff, where essential expenses are incurred in the performance of their duties, costs can be reclaimed by senior managers, where these are reasonable and public money is being used prudently.

### **Additional allowances.**

- 7.5 Senior managers are not in receipt of additional allowances.
- 7.6 For non-senior staff, additional allowances may be paid to reflect the duties and obligations of the post e.g. shift allowances, tool allowances, and stand by allowances.

### **Election Duties**

- 7.7 The Chief Executive receives fee payments pursuant to his appointment as Returning Officer at elections. The fees paid in respect of parish, district and county council elections vary according to the size of the electorate and number of postal voters and are calculated in accordance with fee structure guidance from the Association of Electoral Administrators and agreed across Derbyshire authorities where possible. Policy and Crime Commissioner and Elected Mayors are subject to fee guidance from those bodies. Fee payments for national elections are set by central government and are, in effect, not paid by the council, as the fees are reclaimed.

### **Acting Up Payments**

- 7.8 Acting up payments are made where an employee may undertake the full duties and responsibilities of a higher graded post. For employees

at Scale 8 and above (which includes Chief Officers) a continuous qualifying period of four weeks will apply before payment can be made. Further details are set out in paragraph 8 of the Local Collective Agreement.

### **Honoraria**

- 7.9 An honorarium is payable in circumstances where an employee carries out additional duties which are at a higher level than those in their substantive post, but there is no entitlement to a higher salary.

### **Telephone Rental**

- 7.10 A mobile telephone is provided to employees at the discretion of the Corporate Leadership Team or Tier 4 Heads of Service, where it is considered appropriate for the delivery of the service. The cost of the monthly rental is paid as well as business related calls.

### **Car Mileage and Car User Allowance**

- 7.11 All employees, including Chief Officers, can claim for mileage and expenses which occur for business reasons only. HMRC rates are used to calculate mileage claims.
- 7.12 Essential car user allowance is no longer paid to employees and there are no senior staff in receipt of this allowance. There are a small number of employees who have Transfer of Undertakings Protected Earnings (TUPE) rights, who are still entitled to receive essential user car allowance. It is expected that this will be phased out in this financial year.

### **Other financial benefits**

- 7.13 The Chief Executive and Chief Officers do not receive any additional payments relating to performance related pay, bonuses, earn back schemes or ex-gratia benefits.

### **Real Living Wage allowance**

- 7.14 On an annual basis, Joint Cabinet and Employment and General Committee will review whether an additional allowance should be awarded to employees who are on the lowest pay scales. This allows the Council to pay a rate which is equivalent to the Real Living Wage, recommended by the Living Wage Foundation.
- 7.15 In 2024, the Real Living Wage is £12.00 per hour. If the lowest pay scales are not increased to £12.00 per hour once agreement of the Local Government pay negotiations for 2024-25 are reached, a real living wage allowance will be applied to ensure Chesterfield Borough Council employees are paid a fair wage.

## **8. Pensions**

### **Pension Contributions**

- 8.1 Employees of the Council (including Chief Officers) pay a contribution to the Local Government Pension Scheme relative to their annual full-time equivalent pensionable pay. An assessment is undertaken on an annual basis to determine the contribution rate.

- 8.2 Following changes under the LGPS regulations in 2014, all employees now have an option to pay half contributions and build up half of the normal pension. This is known as the 50/50 section of the scheme and is designed to be a short-term option for when times are financially difficult.
- 8.3 The Council contributes 20.4% of pensionable pay as the employer contribution to the LGPS.

## **9. Re-employment of employees in receipt of a pension or redundancy payment**

- 9.1 The council has a statutory duty to appoint on merit and will always seek to appoint the best candidate for a position based on skills, knowledge, experience, and abilities.
- 9.2 Under the terms of the Local Government Pension scheme, an employee who has retired from local government service and is in receipt of a pension may reapply for local government employment. However, where this happens, the pension may be subject to abatement, i.e. if the pension added to the new salary is higher than the original salary then the amount of pension will be reduced accordingly.
- 9.3 Where a former employee has left on the grounds of redundancy, the Council will apply the provisions of the Redundancy Modifications Order regarding recovery of the redundancy payment, if relevant.
- 9.4 There are currently no re-employed pensioners in senior management positions.

## **10. Payments on Termination of Employment**

- 10.1 Employees who resign will not receive a severance payment.
- 10.2 Where the council decides to terminate any employee's service because of redundancy, a severance payment will be made. This payment comprises of contractual entitlements, (notice un-worked, leave not taken), plus a redundancy element, which is calculated in accordance with statutory levels. The council does not have an enhanced redundancy scheme in place.
- 10.3 For those aged 55 and over, in the event of redundancy, employees become entitled to an immediate pension. Any costs accruing to the Council for pension strain payments are based on an actuarial calculation linked to service and age. Entitlements are not discretionary to an individual once a redundancy situation arises.

- 10.4 Other payments may be made where the council has specific legal advice to the effect that a payment may be necessary to eliminate risk of claims against the Council.
- 10.5 Any severance payment currently over £100,000 must be agreed by full council.

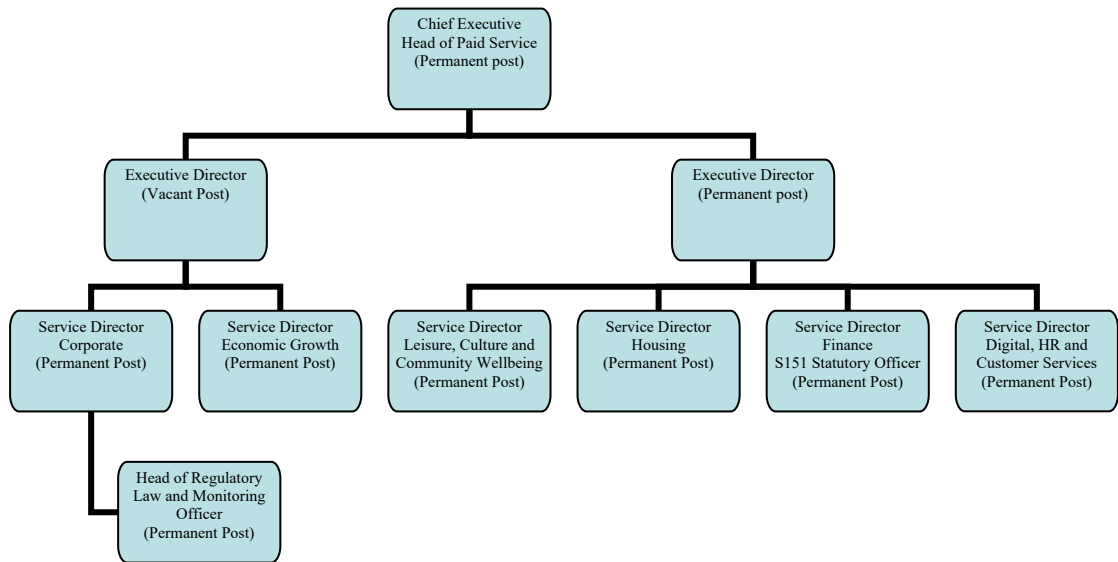
## **11. Pay Relationship between salaries**

- 11.1 The lowest pay rate in the authority (excluding apprentice rates) equates to a full time equivalent annual salary of £22,366 and can be expressed as an hourly rate of pay of £11.59. This pay rate and salary was determined by the authority as part of the NJC pay scale for staff employed on National Joint Council Local Government Services Terms and Conditions.
- 11.2 The highest salary in this Council is £121,706 which is paid to the Chief Executive. The ratio between the two salaries, known as the 'pay multiple', is 5.44 to 1. Against the median salary of £30,296 this multiple reduces to 4.017 to 1.
- 11.3 The Hutton review considered the pay multiple should be no greater than 20 to 1 (lower is better) and based on the current situation the Council falls well below this threshold.
- 11.4 Chesterfield Borough Council does not have a policy on maintaining or reaching a specific 'pay multiple', however the Authority is conscious of the need to ensure that the salary of the highest paid employee is not excessive and is consistent with the needs of the Authority.
- 11.5 These pay rates will increase in accordance with any pay settlements which are reached through the respective national negotiating bodies.

## **12. Publication of Information**

- 12.1 This policy statement will be made available on the Council's website.

## **13. Organisation Chart**





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