



Agenda

Meeting: **Personnel Committee**
Date: **2 February 2023**
Time: **1.30 pm**
Place: **Council Chamber - Civic Centre Folkestone**

To: **All members of the Personnel Committee**

The Committee will consider the matters listed below at the date, time and place shown above. The meeting will be open to the press and public.

Members of the Committee who wish to have information on any matter arising on the agenda which is not fully covered in these papers are requested to give notice prior to the meeting to the Chairman or appropriate officer.

This meeting will be webcast live to the council's website at <https://folkestone-hythe.public-i.tv/core/portal/home>.

Please note there will be 37 seats available for members of the public, which will be reserved for those speaking or participating at the meeting. The remaining available seats will be given on a first come, first served basis.

1. **Apologies for Absence**
2. **Declarations of Interest (Pages 3 - 4)**

Members of the Council should declare any interests which fall under the following categories:

- a) disclosable pecuniary interests (DPI);
- b) other significant interests (OSI);
- c) voluntary announcements of other interests.

3. **Minutes (Pages 5 - 8)**

Queries about the agenda? Need a different format?

Contact Jemma West – 01303 853495
Email: committee@folkestone-hythe.gov.uk or download from our website
www.folkestone-hythe.gov.uk

To consider and approve, as a correct record, the minutes of the meetings held on 16 June and 20 October 2022.

4. **Pay Policy Statement 2023/24 (Pages 9 - 40)**

This report presents the revised pay policy statement for 2023/24 for approval and recommendation to council.

5. **Senior Management update (Pages 41 - 44)**

This report provides an update on the senior management at the council. It seeks the committee's approval to move ahead with the recruitment for the proposed interim and subsequently the permanent Corporate Services Director role.

6. **Exclusion of the Public**

To exclude the public for the following item of business on the grounds that it is likely to disclose exempt information, as defined in paragraph 4 of Part 1 of Schedule 12A to the Local Government Act 1972 –

'Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under, the authority.'

Part 2 – Exempt Information Item

7. **Pay Award update**

To receive a verbal update.

Declarations of Interest

Disclosable Pecuniary Interest (DPI)

Where a Member has a new or registered DPI in a matter under consideration they must disclose that they have an interest and, unless the Monitoring Officer has agreed in advance that the DPI is a 'Sensitive Interest', explain the nature of that interest at the meeting. The Member must withdraw from the meeting at the commencement of the consideration of any matter in which they have declared a DPI and must not participate in any discussion of, or vote taken on, the matter unless they have been granted a dispensation permitting them to do so. If during the consideration of any item a Member becomes aware that they have a DPI in the matter they should declare the interest immediately and, subject to any dispensations, withdraw from the meeting.

Other Significant Interest (OSI)

Where a Member is declaring an OSI they must also disclose the interest and explain the nature of the interest at the meeting. The Member must withdraw from the meeting at the commencement of the consideration of any matter in which they have declared a OSI and must not participate in any discussion of, or vote taken on, the matter unless they have been granted a dispensation to do so or the meeting is one at which members of the public are permitted to speak for the purpose of making representations, answering questions or giving evidence relating to the matter. In the latter case, the Member may only participate on the same basis as a member of the public and cannot participate in any discussion of, or vote taken on, the matter and must withdraw from the meeting in accordance with the Council's procedure rules.

Voluntary Announcement of Other Interests (VAOI)

Where a Member does not have either a DPI or OSI but is of the opinion that for transparency reasons alone s/he should make an announcement in respect of a matter under consideration, they can make a VAOI. A Member declaring a VAOI may still remain at the meeting and vote on the matter under consideration.

Note to the Code:

Situations in which a Member may wish to make a VAOI include membership of outside bodies that have made representations on agenda items; where a Member knows a person involved, but does not have a close association with that person; or where an item would affect the well-being of a Member, relative, close associate, employer, etc. but not his/her financial position. It should be emphasised that an effect on the financial position of a Member, relative, close associate, employer, etc OR an application made by a Member, relative, close associate, employer, etc would both probably constitute either an OSI or in some cases a DPI.

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Minutes

Personnel Committee

Held at:	Council Chamber - Civic Centre Folkestone
Date	Thursday, 16 June 2022
Present	Councillors Mrs Ann Berry, Nicola Keen, David Monk (Chairman), Tim Prater and Rebecca Shoob
Apologies for Absence	Councillor Ray Field and Councillor Patricia Rolfe
Officers Present:	Ritchie Bennett (HR Senior Specialist), Jo Gage (HR Business Partner, Organisational Development), Ellen Joyce (Democratic Services Trainee), Susan Priest (Chief Executive), Trudi Simpson and Andrina Smith (Chief HR Officer)
Others Present:	

1. **Declarations of Interest**

Councillor Nicola Keen made a voluntary declaration in respect of all agenda items as she was a union branch officer at Kent County Council.

2. **Minutes**

The minutes of the meeting held on 14 April 2022 were submitted, approved and signed by the Chairman.

3. **Appointment of JSCP**

Appointments for the Members of the Joint Staff Consultative Panel (JSCP) were agreed by members.

RESOLVED:

That Councillors David Monk, Mrs Ann Berry, Ray Field, Nicola Keen, Tim Prater and Rebecca Shoob be appointed as Members of the Joint Staff Consultative Panel (JSCP) for the municipal year 22/23.

4. **Gender Pay Gap reporting**

The report outlined the council's statutory obligations regarding the publication of gender pay gap data and provides the data for this reporting year.

Proposed by Councillor Berry
Seconded by Councillor Keen

RESOLVED:

- 1. That report P/22/01 be received and noted.**

(Voting figures: 5 for, 0 against, 0 abstentions).

5. HR Annual Review (2021/2022)

The report presented a review of the HR function over the last financial year 2021-2022.

Members were advised that sickness trends would continue to be monitored and there would be a future item regarding the real living wage.

Proposed by Councillor Keen
Seconded by Councillor Berry

RESOLVED:

- 1. That report P/22/03 be received and noted.**

(Voting figures: 5 for, 0 against, 0 abstentions).

6. Report of the Head of Paid Service

The report of the Chief Executive advised on the adequacy of resources across the Council.

There was a discussion on the importance of communication with members and handling the volume of telephone contact to Customers Services.

Proposed by Councillor Berry
Seconded by Councillor Shoob

RESOLVED:

- 1. That report P/22/02 be received and noted.**

(Voting: 5 for, 0 against, 0 abstentions).

Personnel Committee

Held at:	Council Chamber - Civic Centre Folkestone
Date	Thursday, 20 October 2022
Present	Councillors Mrs Ann Berry, David Monk (Chairman), Tim Prater and Rebecca Shoob
Apologies for Absence	Councillor Ray Field, Councillor Nicola Keen and Councillor Patricia Rolfe
Officers Present:	Susan Priest (Chief Executive), Andrina Smith (Chief HR Officer) and Jemma West (Committee Service Specialist)

7. **Declarations of Interest**

There were no declarations of interest at the meeting.

8. **Exclusion of the Public**

Proposed by Councillor Monk,
Seconded by Councillor Mrs Berry; and

RESOLVED:

That the public be excluded for the following item of business on the grounds that it is likely to disclose exempt information, as defined in paragraph 4 of Part 1 of Schedule 12A to the Local Government Act 1972 –

‘Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under, the authority.’

(Voting figures: 4 for, 0 against, 0 abstentions).

9. **Pay negotiations 2023/2024**

The Committee Members received a presentation by the Chief HR officer and agreed negotiating parameters.

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This Report will be made public on 25 January 2023

Report Number **P/22/04**

To: Personnel Committee
Date: 2nd February 2023
Status: Non-executive Decision
Chief Officer: Andrina Smith, Chief HR Officer

SUBJECT: PAY POLICY STATEMENT 2023/24

SUMMARY: This report presents the revised pay policy statement for 2023/24 for approval and recommendation to council.

REASONS FOR RECOMMENDATIONS:

Personnel Committee is asked to consider the contents of the report as the policy is required to be adopted by Full Council annually.

RECOMMENDATIONS:

1. To receive and note report P/22/04.
2. To recommend to council that it approve, under S38(1) Localism Act 2011, the Pay Policy Statement appended to this report for 2023/24.

1. INTRODUCTION

- 1.1 All local authorities are required to annually publish, and present to Full Council for adoption, a Pay Policy Statement in accordance with the Localism Act 2011. Folkestone & Hythe District Council's Pay Policy Statement was first approved in January 2012.
- 1.2 The council's Pay Policy Statement was completely refreshed for April 2022 and approved by Council (report A/22/11) on 4th May 2022. Therefore, the revised Statement for 2023/24 only has minor updates to ensure the data is correct for publication.

2. PAY POLICY

- 2.1 The Pay Policy Statement for 2023-24 has been updated and is attached as **Appendix A**. This document is based on:

- The Department of Communities and Local Government's (DCLG)** Statutory Guidance Under Section 40 of the Localism Act, Openness and Accountability in Local Pay, published at February 2012; and
- The Department of Communities and Local Government's (DCLG) Openness and Accountability in Local Pay: Guidance under section 40 of the Localism Act 2011 – Supplementary Guidance, published February 2013.

** The Department of Communities and Local Government (DCLG) is now known as the Department for Levelling Up, Housing and Communities (DLUHC) however the guidance documents still bear the DCLG name.

- 2.2 The DCLG Guidance confirms that councils are not 'required to use the pay policy (statement) to publish specific numerical data on pay and reward' however it should be noted that the council is required to publish certain salary information under the Code of Recommended Practice for Local Authorities on Data Transparency and by the Accounts and Audit (England) Regulations 2011.
- 2.3 The Guidance further states that the Localism Act requires authorities to explain what they think the relationship should be between the remuneration of its Chief Officers and its employees who are not Chief Officers. The pay policy statement therefore explains the 'relationship' in terms of the grading systems used and by reference to the requirements set out in paragraph 2.2 above.
- 2.4 The only changes made to the content of the Pay Policy Statement for 2023-24 are updates to dates and data or salary information in the relevant sections. No substantial changes have been made.
- 2.5 The 2022-23 Pay Policy Statement is attached as **Appendix B** with tracked changes in order for members of the committee to identify where updates have been made.

- 2.6 At the time of writing this report no further updated guidance notes have been issued by the DLUCH, however should an update be issued that requires an amendment to the attached pay policy statement for 2023-24 then a revised statement will be presented to the Personnel Committee at a future meeting.

3. RISK MANAGEMENT ISSUES

- 3.1 A summary of the perceived risks are as follows:

- No perceived risks

4. LEGAL / FINANCIAL AND OTHER CONTROLS / POLICY MATTERS

4.1 Legal Officer's Comments (AK)

There are no legal implications arising directly out of this report, relevant issues having been addressed in each of the report and the Appendix.

4.2 Finance Officer's Comments (CS)

Any financial implications arising from any reward strategy will need to be considered within the council's medium term financial planning process.

4.3 Diversities and Equalities Implications (ASm)

There are no specific Diversities and Equalities Implications arising from this report.

5. CONTACT OFFICER AND BACKGROUND DOCUMENTS

Councillors with any questions arising out of this report should contact the following officer prior to the meeting:

Andrina Smith, Chief HR Officer

Tel: 01303 853405

Email: Andrina.smith@folkestone-hythe.gov.uk

The following background documents have been relied upon in the preparation of this report:

None

Appendix

Appendix A – Draft Pay Policy Statement 2023-24

Appendix B – Pay Policy Statement 2022-23 with tracked changes for 23-24

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Folkestone & Hythe District Council Pay Policy Statement – Financial Year 2023-24

Introduction and Purpose

1. In accordance with section 112 of the Local Government Act, the Council has the ‘power to appoint officers on such reasonable terms and conditions as the authority thinks fit’. This Pay Policy Statement (the ‘statement’) sets out the Council’s approach to pay policy in accordance with the requirements of section 38 of the Localism Act 2011 (as amended) and the ‘Openness and accountability in local pay: guidance under section 40 of the Localism Act 2011 – supplementary guidance’ which requires the council to produce a policy statement that covers a number of matters concerning the pay of the council’s staff.
2. The purpose of the statement is to provide transparency with regard to the Council’s approach to setting the pay of its employees by identifying:
 - The general principles that underpin the council’s approach to its pay policy;
 - Definitions of the ‘lowest paid employees’ and ‘chief officers’ for the purposes of pay comparison;
 - The methods by which salaries are determined; and
 - The relationship between the remuneration of chief officers and the remuneration of employees who are not chief officers.
3. Once approved by full Council, this policy statement will come into immediate effect and will be subject to review on a minimum of an annual basis.

Definitions

For the purpose of this pay policy statement, the following definitions will apply:

4. **Pay/remuneration** includes salary (for employees) or payment under a contract of services (for self-employed), expenses, bonuses, as well as contractual arrangements involving possible future severance payments. Also, charges, fees, allowances, benefits in kind, termination payments and increases in/enhancement of pension entitlement as a result of a resolution of the authority.
5. **Chief Officer** is defined within section 43 of the Localism Act 2011 as:
 - The head of the authority’s paid service designated under section 4(1) of the Local Government and Housing Act 1989;
 - The monitoring officer designated under section 5(1) of that Act;
 - A statutory chief officer mentioned in section 2(6) of that Act;

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- A non-statutory chief officer mentioned in section 2(7) of that Act; and
 - A deputy chief officer mentioned in section 2(8) of that Act.
6. The following roles within Folkestone & Hythe District Council (FHDC) have therefore been identified as being chief officers for the purposes of this Pay Policy Statement:
- Chief Executive (Head of Paid Service)* (statutory chief officer)
 - Director – Corporate Services* (non-statutory chief officer)
 - Director – Place* (non-statutory chief officer)
 - Director – Housing & Operations* (non-statutory chief officer)
 - Chief Finance Officer & s151 Officer** (statutory chief officer)
 - Monitoring Officer*** (statutory chief officer)
 - In addition, Assistant Directors and those posts which report directly, and are directly accountable, to a statutory or non-statutory chief officer in respect of all or most of their duties****, with the exception of roles which are identified as being solely administrative in nature
7. * Members of the Council’s Corporate Leadership Team (CLT).
** This role is currently undertaken by the Director – Corporate Services.
*** This role is currently undertaken by the Assistant Director – Governance and Law.
**** It should be noted that, whilst identified as chief officers within the terms of the Localism Act 2011, these posts are not designated as chief officers at FHDC.

Please note that the definition of Chief Officer in this Pay Policy Statement is different to that contained within Part 2 Article 11 of the Constitution.

8. **Lowest paid employees** refers to those staff employed within grade B of the Council’s pay framework at point 8. This definition for the “lowest paid employees” has been adopted because grade B is the lowest grade on the Council’s pay framework. It excludes apprentices, whose pay remains subject to other regulations, and has specific reference under this policy. There are no staff governed by National consultation groups.

At the outset of the 2022/23 financial year –

- Grade B Point 8 is £19,477
- The mode (most frequently used) salary for permanent employees falls within Grade E, the maximum of which is £31,663

National Minimum Wage & National Living Wage – April 2023

9. The statutory National Minimum Wage (NMW) for employees aged 21 to 22 will be £10.18 per hour with the statutory National Living Wage (NLW)

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for employees aged 23 and over increasing to £10.42 per hour from 1 April 2023.

10. The Council's lowest grade is expected to be £10.87 per hour (subject to current pay negotiations) from 1 April 2023 which will be £0.45 higher than the NLW.

General Approach

11. This pay policy statement provides a basis on which FHDC can compete in labour markets at all levels and for all roles, enabling the council to attract, retain and fairly reward people with the knowledge, experience, skills and attributes that are essential to the effective delivery of services to residents, businesses and other stakeholders within the district as well as fulfilling the council's business objectives.

In our approach to appointments, particularly senior appointments, consideration is given to the value for money for the whole of the public sector. Consideration includes avoidance of arrangements which could be perceived as seeking to minimise tax payments.

Pay and reward packages for the Chief Executive and Chief Officers will be made in an open and accountable way with a verified, accountable process for recommending any changes to their salary scales.

FHDC will be transparent on pay rises including the publication, on the Council's website, of any above inflation pay rises.

Pay Structure

12. FHDC's pay framework was implemented in 2007 and is based on:
 - Local pay determination for 'all other employees who are not Chief Officers', including those Assistant Directors who hold statutory positions; and
 - With effect from September 2015, local pay determination for Chief Officers who are either designated as a Chief Executive or Director. The pay for this small group of staff will be determined by the Personnel Committee with external independent advice.
13. FHDC's pay grades are locally determined taking into account national guidance, with the grade for each role being determined by a consistent job evaluation process. This followed a national requirement for all Local Authorities and other public sector employers to review their pay and grading frameworks to ensure fair and consistent practice for different groups of workers with the same employer.
14. As part of this, FHDC determined a local pay framework and the overall number of grades is 11, grade B being the lowest and grade L the highest. Grade A on the pay framework was removed as part of the pay

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negotiations for April 2020. Grade L was introduced during the 2019-20 financial year following a benchmarking exercise with approval from Personnel Committee. Each employee (with the exception of the Chief Executive and Directors) will be on one of the 11 grades based on the job evaluation of their role. Employees can progress to the salary range maximum of their grade by annual progression unless formal performance interventions are in place.

15. Terms and conditions of employment, including the pay framework, are determined by Personnel Committee. The Personnel Committee comprises elected Councillors and is formed in accordance with the rules governing proportionality.
16. Pay awards are considered annually by the Joint Staff Consultative Panel for all employees, with the exception of the Chief Executive and Directors, unless otherwise by agreement. These are developed using local pay determination in negotiation with the local Trades Unions and staff representatives. The last pay award was made at April 2022 with the next due to be implemented from 1 April 2023.

The current salary scale applicable from April 2022 can be seen at **Appendix 1** which also shows the agreed pay award for April 2023 however at the time of reviewing this statement, Unison have requested to renegotiate the 2% pay award for April 2023 in light of the current cost of living increases.

17. FHDC will be transparent on pay rises including the publication, on the Council's website, of any above inflation pay rises.
18. The pay for the Chief Executive and Director roles is subject to local pay negotiation and following a benchmarking exercise undertaken by an external advisor during early 2019 the Personnel Committee approved new pay scales for these roles in June 2019.

The current salary scales for the Chief Executive and Directors can be seen at **Appendix 2**.

19. New appointments to any of the council's pay grades are subject to the Council's recruitment and selection policy and will generally be made at the bottom pay point within a pay grade unless there are special circumstances that objectively justify payment at a higher pay point within the grade, e.g. where the candidate's current employment package would make the first point of the pay grade unattractive. This is determined following discussion with the Human Resources team and will be within the salary range for the role.
20. There are a small number of career-graded posts within the Council where advancement through a grade is based on achievement of relevant qualifications and completion of practical experience. In these cases, a job

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description has been created and evaluated to cover each stage of the career in order to assess advancement through the grade.

21. For the Chief Executive and Directors, salary on appointment has regard to the relative size and challenge of the role and account is also taken of other relevant available information, including the salaries of comparable posts in other similar sized organisations.
22. FHDC operates a market supplement policy which allows an additional supplement to be applied on top of basic salary in order to attract applicants of the right calibre, and to retain employees with necessary skills and experience especially in professions where there is a particular skills shortage. A supplement of this kind can only be approved via submission of evidence from the recruiting manager to the Chief HR Officer who submits the documentation to the Corporate Leadership Team for review and approval by the Chief Executive. All such supplements are time limited and subject to appropriate review before consideration is given to an extension.
23. There may from time to time be situations where employees are transferred into FHDC from another organisations which have different pay and conditions. The employees' terms and conditions on transfer may be subject to protection under TUPE or TUPE-like arrangements, and as such may then be outside of the council's main pay structure until such time as it is possible for them to be integrated.
24. It is a recommendation of the DCLG¹ that Full Council should be offered the opportunity to vote before a new employee is offered a salary package of £100,000 or more in respect of a new appointment. At FHDC, all new employee appointments to chief officer posts are made in accordance with the pay grades identified within this statement (see Appendices 1 & 2), which includes those in excess of £100,000 per annum. Any proposed variation to the application of this policy in this regard will be reported to Full Council.

Of the chief officer posts whose salary package exceeds £100,000 upon appointment the following arrangements will apply under the council's constitution:

- The appointment of the Chief Executive is approved and voted on by Full Council following recommendation by the Personnel Committee.
- Directors are selected by the Personnel Committee. A report will then be prepared for Full Council on the recommended appointment enabling approval and voting by Full Council on that appointment.
- Assistant Directors are appointed by the Chief Executive. Should the salary package be in excess of £100,000 then a report will be prepared for Full Council on the recommended appointment enabling approval and voting by Full Council on that appointment.

¹ Openness and accountability in local pay: guidance under section 40 of the Localism Act (Feb 2012)

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25. Salary packages include the annual salary, bonuses, fees or allowances routinely payable to the appointee and benefits in kind to which the officer is entitled as a result of their employment.
26. The posts with a current salary package above £100,000 per annum are the Chief Executive, Directors and (due to incremental increases and pay awards) Assistant Directors who are appointed within Grade L of the FHDC pay scales.

Apprenticeships

27. With effect from 1 April 2023 the national hourly rate for the first year of an apprenticeship is –
 - £5.28 per hour irrespective of age

From the second year of an apprenticeship –

- Aged 17 £5.28 per hour
- Aged 18-20 £7.49 per hour
- Aged 21-22 £10.18 per hour
- Aged 23 and over £10.42 per hour

Local Government Pension Scheme

28. Subject to qualifying conditions, all employees have a right to join the Local Government Pension Scheme. In addition, the Council operates pensions 'auto enrolment' as required by the Pensions Act 2008. The table below sets out the pension contribution bands which are effective from 1 April 2022.

Band	Actual annual pensionable pay ²	Employee Contribution (%)
1	Up to £15,000	5.5%
2	£15,001 - £23,600	5.8%
3	£23,601 - £38,300	6.5%
4	£38,301 - £48,500	6.8%
5	£48,501 - £67,900	8.5%
6	£67,901 - £96,200	9.9%
7	£96,201 - £113,400	10.5%
8	£113,401 - £170,100	11.4%
9	More than £170,101	12.5%

The employer contribution rates are set by actuaries advising the Kent Pension Fund and are reviewed on a regular basis in order to ensure the scheme is appropriately funded. The employer contribution rate for 2023/24 is projected to increase to 20.2%.

² LGPS define pensionable pay as the total of all salary, wages, fees and other payments paid to an employee (Regulation 20 – Local Government Pension Scheme Regulations 2013) [The Local Government Pension Scheme Regulations 2013 \(legislation.gov.uk\)](#)

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29. There are no locally agreed enhancements to the pension scheme. With the exclusion of the Head of Paid Service responsibility for any such enhancements would be at the discretion of the Personnel Committee. In relation to the Head of Paid Service, any such enhancements would be at the discretion, and with the approval, of Full Council.
30. Where a senior (chief officer) new starter already receives a public sector pension, this will be declared on the FHDC website and relevant abatement implemented.

Additional Information

31. In addition to incremental progression, FHDC provides the following additional payment schemes applicable to employees on the main pay framework:
 - When temporarily undertaking additional duties e.g. the full, or a proportion of, the duties of a higher graded post (acting up payment), or in carrying out election duties
 - Honorarium payments e.g. for exceptional level of performance
 - Allowances including payments for additional hours, weekend and/or public holiday working, disturbance, eye tests, first aid, car and standby
 - Additional and accelerated increments e.g. for exam success on pre-determined roles and qualifications but subject to the maximum of the pay grade not being exceeded.

There is no provision for bonus payments across the Council.

Any allowance, or other payments, will only be made to staff in connection with their role and/or the patterns of hours they work and must be in accordance with the Council's internal Pay Policy statement which explains related procedure and practice.

32. FHDC also provides a car allowance payment for the Chief Executive and Directors.
33. In addition to basic salary, employees (including Chief Officers) are eligible for payments under the reimbursement of expenses policy e.g. for business travel.
34. FHDC also reimburses the cost of one practicing certificate fee or membership of a professional organisation provided it is relevant or essential to the post that an employee occupies within the council. In exceptional circumstances, and with the authorisation of a Director or the Chief Executive, the Council will reimburse more than one professional fee.
35. Chief Officers (Chief Executive and Directors) are performance managed differently from the performance management process applying to other employees. This includes input from, and assessment by, identified FHDC Members on an annual basis with a 6-monthly review of objectives.

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Targets are set and performance against those targets is assessed. Chief Officers receive incremental progression until the top of their grade is reached.

Charges, Fees or Allowances

36. The following charges, fees or allowances are paid to the Chief Executive: Election Duties including as Returning Officer, paid separately from salary payments. The Council's Returning Officer, who is also the Chief Executive, receives separate fees for local elections under S36 of the Representation of the People Act 1983. The Council has chosen to adopt the Kent Scale of Fees and Charges for local elections (see: [Cabinet decision and report](#) of 28 September 2011). The Returning Officer must not exceed the maximum fees and charges as laid down in the scale unless further approval is given by a decision of Cabinet or Full Council.
37. Employees receive Election Fees when participating.

Employee Benefits

38. The Council offers a discount at Folkestone Sport Centre Trust and a daily free swim at Hythe Pool to all employees.
39. An employee recognition scheme runs quarterly which recognises individual and team achievements across the council based on the core values plus a separate award for the employee of the year.

In addition it also recognises long service with the first level of recognition at 5 years and then every five years thereafter.

Employees recognised under this scheme receive a choice of vouchers or donation to charity.

40. The Council provides access to an Employee Assistance Programme which provides telephone and face to face counselling on a range of issues.

The Council also has access to an Occupational Health Service which helps to ensure that employees are properly supported enabling a return to work following an absence as soon as possible.

41. Employees are able to register with F&H Rewards, provided by Reward Gateway, which is a voluntary online platform providing access to discounts for high street / online shopping, holidays, insurance and household goods.
42. As part of the F&H Rewards scheme, employees are able to participate in a salary sacrifice scheme for the purchase of bicycles under a 'Cycle to Work' scheme and the purchase of white goods and electronics under the 'SmartTech' scheme.

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43. During the 2022/23 financial year a new salary sacrifice car lease scheme was successfully launched to employees via the F&H Rewards scheme in conjunction with Tusker. The scheme focusses purely on electric and hybrid vehicles.
44. These salary sacrifice schemes and their operation are regulated by HM Revenues and Customs and there are strict rules around the management of the schemes. The schemes permit employees to 'sacrifice' part of their salary in exchange for a benefit. This means that tax and national insurance are not paid on the amount sacrificed effectively reducing the cost of the benefit to the employee. These schemes are open to all employees at the council with the proviso that their salary exceeds the National Minimum Wage after the deduction.

Payments on Termination

45. We are required to publish –
- Our policy on discretionary payments on early termination of employment and our policy on increasing an employee's total pension scheme membership and on awarding additional pension (Regulation 66 of the Local Government Pension Scheme [Administration] Regulations 2008). These are covered in the Early Termination of Employment Policy which can be found on FHDC's website.
 - Statements relating to remuneration. Regulation 7 of the Local Government (Early Termination of Employment) (Discretionary Compensation) (England and Wales) Regulations 2006 requires an authority to formulate, review and publish its policy on making discretionary payments on early termination of employment.
46. FHDC pays statutory redundancy payments in accordance with the Employment Relations Act 1998, which provides for a maximum calculation of up to 30 weeks' pay. The payment will be based on an employee's actual weekly salary rather than the figure set by the Government.
47. Full council will be offered the opportunity to vote on exit packages which are greater than £100,000³. In such circumstances, the employee will be made aware that before an exit package can be confirmed the information will firstly be considered by the Personnel Committee who will then recommend that the decision be taken by Council.

When presenting the information to Personnel Committee and Council the components within the package will be clearly outlined. These components may include:

- Salary paid in lieu of notice
- Redundancy
- Compensation for loss of office

³ Openness and accountability in local pay: guidance under section 40 of the Localism Act (Feb 2012)

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- Pension entitlements
- Pension costs required to be paid by the council to the LGPS
- Holiday pay
- Any bonuses, fees or allowances

Any such payments will be subject to compliance with all relevant legislation.

48. It is important that the Council has flexibility to respond to unforeseen circumstances as regards re-employing a former employee as a Chief Officer. If we re-employ a previous employee who received a redundancy or severance package on leaving, or if that person returns on a 'contract for services', or if they are in receipt of a Local Government / Firefighter Pension Scheme (with same or another local authority), we require that the requirements of the following are observed:
- The Redundancy Payments (Continuity of Employment in Local Government, etc) (Modification) Order 1999
And/or
 - Relevant abatement.
49. It is the Council's policy that in normal circumstances a FHDC employee whose employment has been terminated on grounds of voluntary redundancy and/or voluntary early retirement and who has received a severance payment and/or early retirement benefits will not be re-engaged. In exceptional circumstances there may be a justifiable case for re-engaging such an employee but this may only occur following agreement by members of the Corporate Leadership Team.

Gender Pay Gap Reporting

50. The Equality Act 2010 (Gender Pay Gap Information) Regulations 2016 introduced a mandatory gender pay gap reporting duty for employers of 250 or more employees and came into force for qualifying public sector employers from April 2017. The pay information provided must be based on data from a specific pay period with the overall mean and median pay gap information being published before the 30th March each year.
51. As FHDC employs more than 250 staff the requirement to publish information has been met annually with the relevant calculations be presented to the Corporate Leadership Team in February before publication in March each year. The details are also provided to Personnel Committee annually in June which enables more benchmarked comparisons to be reported.

Publication and Access to Information

52. FHDC is required to publish pay related information. This includes the Code of Recommended Practice for Local Authorities on Data Transparency requirements to publish a Pay Multiple and information on

Appendix A

senior salaries. The Pay Multiple is the ratio between the highest paid salary and the median average salary of the whole authority's salaries.

53. For the Statement of Accounts, Accounts and Audit Regulations and CIPFA Accounting Code of Practice requires us to publish:
 - Senior officer remuneration details on a post by post level
 - Disclosure of remuneration amounting to £50,000 and over in bands of £5,000
 - Exit package disclosures
54. Information on pay will be published on the FHDC website, as follows and by:
 - 1 June – the Pay Multiple figure including the median average salary and information on senior salaries
 - 30 September – the accounts as audited by the Council's external auditors.
55. This pay policy statement, once approved by Full Council, will be published on the Council's public website.
56. This statement is for the financial year 1st April 2023 – 31st March 2024.
57. Full Council may, by resolution, amend this statement (including after the beginning of the financial year to which it relates). An amended statement will be published on the Council's public website.

Appendices:

Appendix 1 – FHDC Salary Scale

Appendix 2 – Chief Executive & Directors Salary Scale

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Grade	Point	Effective Date		
		1st April 2021	1st April 2022	1st April 2023
A	3	Grade Removed	Grade Removed	Grade Removed
	4			
	5			
	6			
B	7	£18,538	N/A	N/A
	8	£18,977	£19,477	£19,977
	9	£19,437	£19,937	£20,437
	10	£19,938	£20,438	£20,938
C	11	£20,435	£20,844	£21,261
	12	£20,845	£21,262	£21,687
	13	£21,642	£22,075	£22,516
	14	£22,450	£22,899	£23,357
D	15	£23,278	£23,744	£24,218
	16	£23,893	£24,371	£24,858
	17	£24,589	£25,081	£25,582
	18	£25,402	£25,910	£26,428
E	19	£26,222	£26,746	£27,281
	20	£27,061	£27,602	£28,154
	21	£27,968	£28,527	£29,098
	22	£28,898	£29,476	£30,065
F	23	£30,043	£30,644	£31,257
	24	£31,042	£31,663	£32,296
	25	£31,769	£32,404	£33,052
	26	£32,708	£33,362	£34,029
G	27	£33,681	£34,355	£35,042
	28	£34,648	£35,341	£36,048
	29	£35,369	£36,076	£36,798
	30	£36,310	£37,036	£37,777
H	31	£37,340	£38,087	£38,849
	32	£38,438	£39,207	£39,991
	33	£39,695	£40,489	£41,299
	34	£40,746	£41,561	£42,392
I	35	£41,827	£42,664	£43,517
	36	£42,895	£43,753	£44,628
	37	£43,965	£44,844	£45,741
	38	£45,045	£45,946	£46,865
J	39	£46,063	£46,984	£47,924
	40	£47,180	£48,124	£49,086
	41	£48,269	£49,234	£50,219
	42	£49,318	£50,304	£51,310
K	43	£50,379	£51,387	£52,414
	44	£51,467	£52,496	£53,546
	45	£52,572	£53,623	£54,696
	46	£53,709	£54,783	£55,879
L	47	£54,859	£55,956	£57,075
	48	£56,046	£57,167	£58,310
	49	£57,090	£58,232	£59,396
	50	£58,247	£59,412	£60,600
M	51	£59,402	£60,590	£61,802
	52	£61,703	£62,937	£64,196
	53	£63,381	£64,649	£65,942
	54	£65,668	£66,981	£68,321
N	55	£67,195	£68,539	£69,910
	56	£69,711	£71,105	£72,527
	57	£72,231	£73,676	£75,149
	58	£74,743	£76,238	£77,763
O	59	£77,264	£78,809	£80,385
	60	£84,139	£85,822	£87,538
	61	£86,446	£88,175	£89,938
	62	£88,706	£90,480	£92,290
P	63	£93,495	£95,365	£97,272
	64	£96,806	£98,742	£100,717

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SENIOR MANAGEMENT GRADES

Effective 14th June 2019

(Personnel Committee report dated 13th June 2019)

	Chief Executive / Head of Paid Service	Corporate Directors
Point 1	£118,236	£99,577
Point 2	£124,148	£103,306
Point 3	£130,355	£107,039
Point 4	£136,872	£110,772
Point 5	£143,715	N/A

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Folkestone & Hythe District Council

Pay Policy Statement – Financial Year 202~~32~~-24~~3~~

Introduction and Purpose

1. In accordance with section 112 of the Local Government Act, the Council has the 'power to appoint officers on such reasonable terms and conditions as the authority thinks fit'. This Pay Policy Statement (the 'statement') sets out the Council's approach to pay policy in accordance with the requirements of section 38 of the Localism Act 2011 (as amended) and the 'Openness and accountability in local pay: guidance under section 40 of the Localism Act 2011 – supplementary guidance' which requires the council to produce a policy statement that covers a number of matters concerning the pay of the council's staff.
2. The purpose of the statement is to provide transparency with regard to the Council's approach to setting the pay of its employees by identifying:
 - The general principles that underpin the council's approach to its pay policy;
 - Definitions of the 'lowest paid employees' and 'chief officers' for the purposes of pay comparison;
 - The methods by which salaries are determined; and
 - The relationship between the remuneration of chief officers and the remuneration of employees who are not chief officers.
3. Once approved by full Council, this policy statement will come into immediate effect and will be subject to review on a minimum of an annual basis.

Definitions

For the purpose of this pay policy statement, the following definitions will apply:

4. **Pay/remuneration** includes salary (for employees) or payment under a contract of services (for self-employed), expenses, bonuses, as well as contractual arrangements involving possible future severance payments. Also, charges, fees, allowances, benefits in kind, termination payments and increases in/enhancement of pension entitlement as a result of a resolution of the authority.
5. **Chief Officer** is defined within section 43 of the Localism Act 2011 as:
 - The head of the authority's paid service designated under section 4(1) of the Local Government and Housing Act 1989;
 - The monitoring officer designated under section 5(1) of that Act;
 - A statutory chief officer mentioned in section 2(6) of that Act;

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- A non-statutory chief officer mentioned in section 2(7) of that Act; and
 - A deputy chief officer mentioned in section 2(8) of that Act.
6. The following roles within Folkestone & Hythe District Council (FHDC) have therefore been identified as being chief officers for the purposes of this Pay Policy Statement:
- Chief Executive (Head of Paid Service)* (statutory chief officer)
 - Director – Corporate Services* (non-statutory chief officer)
 - Director – Place* (non-statutory chief officer)
 - Director – Housing & Operations* (non-statutory chief officer)
 - Chief Finance Officer & s151 Officer** (statutory chief officer)
 - Monitoring Officer*** (statutory chief officer)
 - In addition, Assistant Directors and those posts which report directly, and are directly accountable, to a statutory or non-statutory chief officer in respect of all or most of their duties****, with the exception of roles which are identified as being solely administrative in nature
7. * Members of the Council’s Corporate Leadership Team (CLT).
** This role is currently undertaken by the Director – Corporate Services.
*** This role is currently undertaken by the Assistant Director – Governance and Law.
**** It should be noted that, whilst identified as chief officers within the terms of the Localism Act 2011, these posts are not designated as chief officers at FHDC.

Please note that the definition of Chief Officer in this Pay Policy Statement is different to that contained within Part 2 Article 11 of the Constitution.

8. **Lowest paid employees** refers to those staff employed within grade B of the Council’s pay framework at point 8 ~~(as point 7 is removed with effect from 1 April 2022)~~. This definition for the “lowest paid employees” has been adopted because grade B is the lowest grade on the Council’s pay framework. It excludes apprentices, whose pay remains subject to other regulations, and has specific reference under this policy. There are no staff governed by National consultation groups.

At the outset of the 2022/23 financial year –

- Grade B Point 8 is £~~19,477~~~~18,977~~
- The mode (most frequently used) salary for permanent employees falls within Grade E, the maximum of which is £~~31,663~~~~31,042~~

National Minimum Wage & National Living Wage – April 202~~3~~²

9. The statutory National Minimum Wage (NMW) for employees aged 21 to 22 ~~is~~ will be £~~10.18~~~~9.18~~ per hour with the statutory National Living Wage

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(NLW) for employees aged 23 and over ~~is increasing to £10.429.50~~ per hour from 1 April 2023~~2~~.

10. The Council's lowest grade ~~is expected to be £10.87 per hour (subject to current pay negotiations) (£10.09 per hour from 1 April 2023~~2~~ with the agreed pay award implemented) which will be~~ £0.4559 higher than the NLW.

General Approach

11. This pay policy statement provides a basis on which FHDC can compete in labour markets at all levels and for all roles, enabling the council to attract, retain and fairly reward people with the knowledge, experience, skills and attributes that are essential to the effective delivery of services to residents, businesses and other stakeholders within the district as well as fulfilling the council's business objectives.

In our approach to appointments, particularly senior appointments, consideration is given to the value for money for the whole of the public sector. Consideration includes avoidance of arrangements which could be perceived as seeking to minimise tax payments.

Pay and reward packages for the Chief Executive and Chief Officers will be made in an open and accountable way with a verified, accountable process for recommending any changes to their salary scales.

FHDC will be transparent on pay rises including the publication, on the Council's website, of any above inflation pay rises.

Pay Structure

12. FHDC's pay framework was implemented in 2007 and is based on:
 - Local pay determination for 'all other employees who are not Chief Officers', including those Assistant Directors who hold statutory positions; and
 - With effect from September 2015, local pay determination for Chief Officers who are either designated as a Chief Executive or Director. The pay for this small group of staff will be determined by the Personnel Committee with external independent advice.
13. FHDC's pay grades are locally determined taking into account national guidance, with the grade for each role being determined by a consistent job evaluation process. This followed a national requirement for all Local Authorities and other public sector employers to review their pay and grading frameworks to ensure fair and consistent practice for different groups of workers with the same employer.
14. As part of this, FHDC determined a local pay framework and the overall number of grades is 11, grade B being the lowest and grade L the highest.

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Grade A on the pay framework was removed as part of the pay negotiations for April 2020. Grade L was introduced during the 2019-20 financial year following a benchmarking exercise with approval from Personnel Committee. Each employee (with the exception of the Chief Executive and Directors) will be on one of the 11 grades based on the job evaluation of their role. Employees can progress to the salary range maximum of their grade by annual progression unless formal performance interventions are in place.

15. Terms and conditions of employment, including the pay framework, are determined by Personnel Committee. The Personnel Committee comprises elected Councillors and is formed in accordance with the rules governing proportionality.
16. Pay awards are considered annually by the Joint Staff Consultative Panel for all employees, with the exception of the Chief Executive and Directors, unless otherwise by agreement. These are developed using local pay determination in negotiation with the local Trades Unions and staff representatives. The last pay award was made at April 202~~2~~⁴ with the next due to be implemented from 1 April 202~~3~~².

The current salary scale applicable from April 202~~2~~⁴ can be seen at **Appendix 1** which also shows the agreed pay awards for April 202~~3~~² and ~~April 2023~~ however at the time of reviewing this statement, Unison have requested to renegotiate the 2% pay award for April 2023 in light of the current cost of living increases.

17. FHDC will be transparent on pay rises including the publication, on the Council's website, of any above inflation pay rises.
18. The pay for the Chief Executive and Director roles is subject to local pay negotiation and following a benchmarking exercise undertaken by an external advisor during early 2019 the Personnel Committee approved new pay scales for these roles in June 2019.

The current salary scales for the Chief Executive and Directors can be seen at **Appendix 2**.

19. New appointments to any of the council's pay grades are subject to the Council's recruitment and selection policy and will generally be made at the bottom pay point within a pay grade unless there are special circumstances that objectively justify payment at a higher pay point within the grade, e.g. where the candidate's current employment package would make the first point of the pay grade unattractive. This is determined following discussion with the Human Resources team and will be within the salary range for the role.
20. There are a small number of career-graded posts within the Council where advancement through a grade is based on achievement of relevant qualifications and completion of practical experience. In these cases, a job

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description has been created and evaluated to cover each stage of the career in order to assess advancement through the grade.

21. For the Chief Executive and Directors, salary on appointment has regard to the relative size and challenge of the role and account is also taken of other relevant available information, including the salaries of comparable posts in other similar sized organisations.
22. FHDC operates a market supplement policy which allows an additional supplement to be applied on top of basic salary in order to attract applicants of the right calibre, and to retain employees with necessary skills and experience especially in professions where there is a particular skills shortage. A supplement of this kind can only be approved via submission of evidence from the recruiting manager to the Chief HR Officer who submits the documentation to the Corporate Leadership Team for review and approval by the Chief Executive. All such supplements are time limited and subject to appropriate review before consideration is given to an extension.
23. There may from time to time be situations where employees are transferred into FHDC from another organisations which have different pay and conditions. The employees' terms and conditions on transfer may be subject to protection under TUPE or TUPE-like arrangements, and as such may then be outside of the council's main pay structure until such time as it is possible for them to be integrated.
24. It is a recommendation of the DCLG¹ that Full Council should be offered the opportunity to vote before a new employee is offered a salary package of £100,000 or more in respect of a new appointment. At FHDC, all new employee appointments to chief officer posts are made in accordance with the pay grades identified within this statement (see Appendices 1 & 2), which includes those in excess of £100,000 per annum. Any proposed variation to the application of this policy in this regard will be reported to Full Council.

Of the chief officer posts whose salary package exceeds £100,000 upon appointment the following arrangements will apply under the council's constitution:

- The appointment of the Chief Executive is approved and voted on by Full Council following recommendation by the Personnel Committee.
- Directors are selected by the Personnel Committee. A report will then be prepared for Full Council on the recommended appointment enabling approval and voting by Full Council on that appointment.
- Assistant Directors are appointed by the Chief Executive. Should the salary package be in excess of £100,000 then a report will be prepared for Full Council on the recommended appointment enabling approval and voting by Full Council on that appointment.

¹ Openness and accountability in local pay: guidance under section 40 of the Localism Act (Feb 2012)

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25. Salary packages include the annual salary, bonuses, fees or allowances routinely payable to the appointee and benefits in kind to which the officer is entitled as a result of their employment.
26. The posts with a current salary package above £100,000 per annum are the Chief Executive, Directors and (due to incremental increases and pay awards) Assistant Directors who are appointed within Grade L of the FHDC pay scales.

Apprenticeships

27. With effect from 1 April 202~~32~~³² the national hourly rate for the first year of an apprenticeship is –
 - £~~5.284.81~~^{5.284.81} per hour irrespective of age

From the second year of an apprenticeship –

- Aged 17 £~~5.284.81~~^{5.284.81} per hour
- Aged 18-20 £~~7.496.83~~^{7.496.83} per hour
- Aged 21-22 £~~10.189.18~~^{10.189.18} per hour
- Aged 23 and over £~~10.429.50~~^{10.429.50} per hour

Local Government Pension Scheme

28. Subject to qualifying conditions, all employees have a right to join the Local Government Pension Scheme. In addition, the Council operates pensions 'auto enrolment' as required by the Pensions Act 2008. The table below sets out the pension contribution bands which are effective from 1 April 2022.

Band	Actual annual pensionable pay ²	Employee Contribution (%)
1	Up to £15,000	5.5%
2	£15,001 - £23,600	5.8%
3	£23,601 - £38,300	6.5%
4	£38,301 - £48,500	6.8%
5	£48,501 - £67,900	8.5%
6	£67,901 - £96,200	9.9%
7	£96,201 - £113,400	10.5%
8	£113,401 - £170,100	11.4%
9	More than £170,101	12.5%

The employer contribution rates are set by actuaries advising the Kent Pension Fund and are reviewed on a regular basis in order to ensure the scheme is appropriately funded. The employer contribution rate for 202~~32~~³²/~~24~~²⁴ will remain is projected to increase to 20.2%at 17.9%.

² LGPS define pensionable pay as the total of all salary, wages, fees and other payments paid to an employee (Regulation 20 – Local Government Pension Scheme Regulations 2013) [The Local Government Pension Scheme Regulations 2013 \(legislation.gov.uk\)](#)

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29. There are no locally agreed enhancements to the pension scheme. With the exclusion of the Head of Paid Service responsibility for any such enhancements would be at the discretion of the Personnel Committee. In relation to the Head of Paid Service, any such enhancements would be at the discretion, and with the approval, of Full Council.
30. Where a senior (chief officer) new starter already receives a public sector pension, this will be declared on the FHDC website and relevant abatement implemented.

Additional Information

31. In addition to incremental progression, FHDC provides the following additional payment schemes applicable to employees on the main pay framework:
 - When temporarily undertaking additional duties e.g. the full, or a proportion of, the duties of a higher graded post (acting up payment), or in carrying out election duties
 - Honorarium payments e.g. for exceptional level of performance
 - Allowances including payments for additional hours, weekend and/or public holiday working, disturbance, eye tests, first aid, car and standby
 - Additional and accelerated increments e.g. for exam success on pre-determined roles and qualifications but subject to the maximum of the pay grade not being exceeded.

There is no provision for bonus payments across the Council.

Any allowance, or other payments, will only be made to staff in connection with their role and/or the patterns of hours they work and must be in accordance with the Council's internal Pay Policy statement which explains related procedure and practice.

32. FHDC also provides a car allowance payment for the Chief Executive and Directors.
33. In addition to basic salary, employees (including Chief Officers) are eligible for payments under the reimbursement of expenses policy e.g. for business travel.
34. FHDC also reimburses the cost of one practicing certificate fee or membership of a professional organisation provided it is relevant or essential to the post that an employee occupies within the council. In exceptional circumstances, and with the authorisation of a Director or the Chief Executive, the Council will reimburse more than one professional fee.
35. Chief Officers (Chief Executive and Directors) are performance managed differently from the performance management process applying to other employees. This includes input from, and assessment by, identified FHDC Members on an annual basis with a 6-monthly review of objectives.

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Targets are set and performance against those targets is assessed. Chief Officers receive incremental progression until the top of their grade is reached.

Charges, Fees or Allowances

36. The following charges, fees or allowances are paid to the Chief Executive: Election Duties including as Returning Officer, paid separately from salary payments. The Council's Returning Officer, who is also the Chief Executive, receives separate fees for local elections under S36 of the Representation of the People Act 1983. The Council has chosen to adopt the Kent Scale of Fees and Charges for local elections (see: [Cabinet decision and report](#) of 28 September 2011). The Returning Officer must not exceed the maximum fees and charges as laid down in the scale unless further approval is given by a decision of Cabinet or Full Council.
37. Employees receive Election Fees when participating.

Employee Benefits

38. The Council offers a discount at Folkestone Sport Centre Trust and a daily free swim at Hythe Pool to all employees.
39. An employee recognition scheme runs quarterly which recognises individual and team achievements across the council based on the core values plus a separate award for the employee of the year.

In addition it also recognises long service with the first level of recognition at 5 years and then every five years thereafter.

Employees recognised under this scheme receive a choice of vouchers or donation to charity.

40. The Council provides access to an Employee Assistance Programme which provides telephone and face to face counselling on a range of issues.

The Council also has access to an Occupational Health Service which helps to ensure that employees are properly supported enabling a return to work following an absence as soon as possible.

41. Employees are able to register with F&H Rewards, provided by Reward Gateway, which is a voluntary online platform providing access to discounts for high street / online shopping, holidays, insurance and household goods.
42. As part of the F&H Rewards scheme, employees are able to participate in a salary sacrifice scheme for the purchase of bicycles under a 'Cycle to Work' scheme and the purchase of white goods and electronics under the 'SmartTech' scheme.

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43. ~~At the time of writing, a salary sacrifice car lease scheme within F&H Rewards is also being launched to employees during the 2022/23 financial year.~~ During the 2022/23 financial year a new salary sacrifice car lease scheme was successfully launched to employees via the F&H Rewards scheme in conjunction with Tusker. The scheme focusses purely on electric and hybrid vehicles.
44. These salary sacrifice schemes and their operation are regulated by HM Revenues and Customs and there are strict rules around the management of the schemes. The schemes permit employees to 'sacrifice' part of their salary in exchange for a benefit. This means that tax and national insurance are not paid on the amount sacrificed effectively reducing the cost of the benefit to the employee. These schemes are open to all employees at the council with the proviso that their salary exceeds the National Minimum Wage after the deduction.

Payments on Termination

45. We are required to publish –
- Our policy on discretionary payments on early termination of employment and our policy on increasing an employee's total pension scheme membership and on awarding additional pension (Regulation 66 of the Local Government Pension Scheme [Administration] Regulations 2008). These are covered in the Early Termination of Employment Policy which can be found on FHDC's website.
 - Statements relating to remuneration. Regulation 7 of the Local Government (Early Termination of Employment) (Discretionary Compensation) (England and Wales) Regulations 2006 requires an authority to formulate, review and publish its policy on making discretionary payments on early termination of employment.
46. FHDC pays statutory redundancy payments in accordance with the Employment Relations Act 1998, which provides for a maximum calculation of up to 30 weeks' pay. The payment will be based on an employee's actual weekly salary rather than the figure set by the Government.
47. Full council will be offered the opportunity to vote on exit packages which are greater than £100,000³. In such circumstances, the employee will be made aware that before an exit package can be confirmed the information will firstly be considered by the Personnel Committee who will then recommend that the decision be taken by Council.

When presenting the information to Personnel Committee and Council the components within the package will be clearly outlined. These components may include:

- Salary paid in lieu of notice

³ Openness and accountability in local pay: guidance under section 40 of the Localism Act (Feb 2012)

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- Redundancy
- Compensation for loss of office
- Pension entitlements
- Pension costs required to be paid by the council to the LGPS
- Holiday pay
- Any bonuses, fees or allowances

Any such payments will be subject to compliance with all relevant legislation.

48. It is important that the Council has flexibility to respond to unforeseen circumstances as regards re-employing a former employee as a Chief Officer. If we re-employ a previous employee who received a redundancy or severance package on leaving, or if that person returns on a 'contract for services', or if they are in receipt of a Local Government / Firefighter Pension Scheme (with same or another local authority), we require that the requirements of the following are observed:
- The Redundancy Payments (Continuity of Employment in Local Government, etc) (Modification) Order 1999
- And/or
- Relevant abatement.
49. It is the Council's policy that in normal circumstances a FHDC employee whose employment has been terminated on grounds of voluntary redundancy and/or voluntary early retirement and who has received a severance payment and/or early retirement benefits will not be re-engaged. In exceptional circumstances there may be a justifiable case for re-engaging such an employee but this may only occur following agreement by members of the Corporate Leadership Team.

Gender Pay Gap Reporting

50. The Equality Act 2010 (Gender Pay Gap Information) Regulations 2016 introduced a mandatory gender pay gap reporting duty for employers of 250 or more employees and came into force for qualifying public sector employers from April 2017. The pay information provided must be based on data from a specific pay period with the overall mean and median pay gap information being published before the 30th March each year.
51. As FHDC employs more than 250 staff the requirement to publish information has been met annually with the relevant calculations be presented to the Corporate Leadership Team in February before publication in March each year. The details are also provided to Personnel Committee annually in June which enables more benchmarked comparisons to be reported.

Publication and Access to Information

52. FHDC is required to publish pay related information. This includes the Code of Recommended Practice for Local Authorities on Data

Appendix B

Transparency requirements to publish a Pay Multiple and information on senior salaries. The Pay Multiple is the ratio between the highest paid salary and the median average salary of the whole authority's salaries.

53. For the Statement of Accounts, Accounts and Audit Regulations and CIPFA Accounting Code of Practice requires us to publish:
 - Senior officer remuneration details on a post by post level
 - Disclosure of remuneration amounting to £50,000 and over in bands of £5,000
 - Exit package disclosures
54. Information on pay will be published on the FHDC website, as follows and by:
 - 1 June – the Pay Multiple figure, including the median average salary, and information on senior salaries
 - 30 September – the accounts as audited by the Council's external auditors.
55. This pay policy statement, once approved by Full Council, will be published on the Council's public website.
56. This statement is for the financial year 1st April 202~~3~~² – 31st March 202~~3~~⁴.
57. Full Council may, by resolution, amend this statement (including after the beginning of the financial year to which it relates). An amended statement will be published on the Council's public website.

Appendices:

Appendix 1 – FHDC Salary Scale

Appendix 2 – Chief Executive & Directors Salary Scale

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This Report will be made public on 25 January 2023

Report Number **P/22/05**

To: Personnel Committee
Date: 2nd February 2023
Status: Non-executive Decision
Chief Executive: Susan Priest

SUBJECT: SENIOR MANAGEMENT UPDATE

SUMMARY: This report provides an update on the senior management at the council. It seeks the committee's approval to move ahead with the recruitment for the proposed interim and subsequently the permanent Corporate Services Director role.

REASONS FOR RECOMMENDATIONS:

Charlotte Spendley, Corporate Services Director (s151 Officer), has given her resignation and ceases employment at the Council in March 2023. The council has a challenging agenda which requires appropriate skill sets to be deployed in the most appropriate way to ensure delivery of our projects linked to the Corporate Plan and the effective discharge of relevant statutory responsibilities.

RECOMMENDATIONS:

1. To receive and note report P/22/05;
2. To agree that the Chief Executive, with support from the Chief HR Officer, proceed to source an interim Director for Corporate Services who will act as the s151 Officer, reporting the outcome to Council in due course; and
3. To approve option 2 as the preferred method of recruitment and selection to the permanent Director for Corporate Services (s151 Officer) vacancy.

1. INTRODUCTION

- 1.1 The Council is currently delivering a challenging corporate agenda with a number of substantial projects featured as high priority. In addition, there are a number of additional financial challenges that have emerged over recent months which also require the oversight and input of senior-level expertise to ensure they are delivered effectively in line with Members' wishes and according to our statutory obligations.

2. BACKGROUND

- 2.1 The current senior management of the council consisting of the Chief Executive, plus 3 Directors, has been in place since January 2020. Two of the Directors were internal appointments offered on a promotion basis, and the third post secured externally with the support of a recruitment consultant.
- 2.2 This three-directorate structure (Corporate Services; Place; and Operations & Housing) has served the council well allowing progress to be made on significant projects such as Otterpool Park, Folkestone Place Plan and the Levelling Up bid in addition to securing Customer Service Excellence and continuing with our move to digital services and associated service improvement plans.

3. OPTIONS FOR RECRUITMENT & SELECTION

- 3.1 There are several ways in which we could approach the recruitment and ultimately the selection to the Director vacancy:

Option 1 – do nothing and reduce the CLT structure to the existing 2 Directors. While this would be a welcome reduction in the overall senior level management costs to the council, this would be a high-risk strategy as neither of the remaining two Directors have public sector finance expertise and this could bring about a failure to ensure adequate financial stability and governance for the council. In addition, there are no identified potential applicants internally that could be considered for promotion due to the current difficulties experienced in resourcing within the Finance team, gaps in expertise and the necessary reliance on interims.

Option 2 – external process using a recruitment consultancy who can run an executive search to source candidates from across the region and nationally. A full screening process would be undertaken by the consultant, liaising with the Chief Executive and Chief HR Officer, who would provide a grading order of applications for each role before recommending which candidates should have a final interview with the personnel committee supported by the consultant and Chief Executive. This option provides a robust approach to sourcing candidates for any senior position at the council and allows opportunity to secure a Director that is interested in and can add value to the council's agenda.

Option 3 – run an external process ourselves. Whilst this would be a cost-effective method it comes with the risk of not finding a suitable candidate if our reach is not targeted or wide-ranging enough. Progressing this internally means we are reliant on placing an advert in the external market press and on social media and interested

candidates seeing the advert at that particular point in time. It does not give us the targeted reach to impress on potential candidates the challenges, rewards and opportunities of working for F&H DC and the significance of projects the individual needs to lead.

- 3.2 Preliminary enquiries with a recruitment consultancy that have been used previously have indicated that the full process associated with option 2 would cost approximately £12,500 per role and an appropriate budget can be identified for this expense.
- 3.3 Subject to Personnel Committee approving the proposals contained within this report, the intention will be to move forward swiftly with a timetable agreed with the recruitment consultants which will enable the final selection process to be undertaken either ahead of or immediately after the District elections in May 2023. Once a suitable appointment has been identified by Personnel Committee they will be able to recommend the appointment to a meeting of the Council. The salary package will be in excess of £100,000 per annum and the requirement of Council to formally appoint the statutory s151 officer necessitates a Full Council decision on the recommendation of Personnel Committee.
- 3.4 The permanent recruitment is likely to take a number of months, potentially until October 2023 when considering that interviews will be scheduled for either April or June 2023 (depending on the quality of initial responses from potential candidates) and the potential notice period of 3 months of the successful applicant.

It is also important to ensure that the council is not de-stabilised as we progress with our demanding agenda and high workloads. Subject to Personnel Committee's agreement, the intention would be for the Chief Executive and Chief HR Officer to identify a suitable interim Director placement for 6-9 months in order to carry forward the statutory work involved in year-end and the preparation for a new administration. Once an interim has been identified a report will be submitted to Council to enable the allocation of the s151 officer statutory responsibility following the incumbent's departure.

- 3.5 As a matter of courtesy, the main political group leaders will be advised of these confidential proposals ahead of the Personnel Committee meeting.
- 3.6 In addition, early conversations have started with the Chief Officers who report directly to the Directors with a view to reallocating some line management responsibilities so additional capacity is available at senior level to deal with election preparation, time critical budget-related and strategic resourcing matters.

4. LEGAL / FINANCIAL AND OTHER CONTROLS / POLICY MATTERS

4.1 Legal Officers Comments (AK)

There are no comments legal comments arising directly from this report. However, it will be necessary to follow relevant HR processes/procedures and the constitution when necessary and relevant.

4.2 Finance Officers Comments (SP)

The financial implications are considered within the body of this report.

4.3 **Diversities and Equalities Implications (ASm)**

There are no specific Diversities and Equalities Implications arising from this report.

5. **CONTACT OFFICER AND BACKGROUND DOCUMENTS**

5.1 Councillors with any questions arising out of this report should contact the following officer prior to the meeting:

Susan Priest – Chief Executive

Email: susan.priest@folkestone-hythe.gov.uk

Andrina Smith – Chief HR Officer

Tel: 01303 853405

Email: andrina.smith@folkestone-hythe.gov.uk

5.2 The following background documents have been relied upon in the preparation of this report:

None