



Complete Agenda

Democratic Service
Swyddfa'r Cyngor
CAERNARFON
Gwynedd
LL55 1SH

Meeting

CHIEF OFFICERS APPOINTMENTS COMMITTEE

Date and Time

4.00 pm, MONDAY, 7TH FEBRUARY, 2022

Location

Virtual Meeting

Contact Point

Lowri Haf Evans

01286 679878

lowrihafevans@gwynedd.llyw.cymru

(DISTRIBUTED 1st Feb 2022)

CHIEF OFFICERS APPOINTMENTS COMMITTEE

MEMBERSHIP (15)

Plaid Cymru (8)

Councillors

E. Selwyn Griffiths
Peredur Jenkins
Dyfrig L. Siencyn
Dafydd Meurig

Annwen Hughes
Mair Rowlands
Gethin Glyn Williams
Olaf Cai Larsen

Independent (4)

Councillors

Eric M. Jones
Vacant seat

Eryl Jones-Williams
Angela Russell

Llais Gwynedd (1)

Councillor Alwyn Gruffydd

Individual Member (1)

Councillor Stephen Churchman

Propel (1)

Councillor Peter Read

Ex-officio Members

Chair and Vice-Chair of the Council

A G E N D A

1. APOLOGIES

To receive any apologies for absence.

2. DECLARATION OF PERSONAL INTEREST

To receive any declaration of personal interest

3. URGENT ITEMS

To note any items that is a matter of urgency in the view of the Chairman for consideration.

4. MINUTES

4 - 5

The Chairman shall propose that the minutes of the meeting of this committee held on 26th November 2021 be signed as a true record

5. ANNUAL REVIEW - COUNCIL'S PAY POLICY

6 - 15

To submit the report of the Chief Executive

Agenda Item 4

CHIEF OFFICERS APPOINTMENT COMMITTEE, 26-11-21

Present:

Councillors: Stephen Churchman, Selwyn Griffiths, Alwyn Gruffydd, Eric M Jones, Eryl Jones-Williams, Anwen Hughes, Cai Larsen, Dafydd Meurig, Peter Read, Dewi W Roberts, Mair Rowlands, Angela Russell and Dyfrig Siencyn

Officers: Dafydd Gibbard (Chief Executive), Geraint Owen (Head of Corporate Services), Eurig Williams (Human Resources Advisory Services Manager) and Lowri Haf Evans (Democracy Services Officer)

Others invited:

Councillor Ioan Thomas (Cabinet Member – Finance)

1. **APOLOGIES**

Apologies were received from Councillors Peredur Jenkins and Gethin Glyn Williams and Elwyn Jones (Council's Vice-chair)

2. **DECLARATION OF PERSONAL INTEREST**

None to note

3. **URGENT ITEMS**

None to note

4. **MINUTES OF THE PREVIOUS MEETING**

The Chair signed the minutes of the meeting of this committee held on 04-11-21 as a true record

5. **EXCLUSION OF PRESS AND PUBLIC**

RESOLVED to exclude the press and public from the meeting during the discussion on the following item due to the likely disclosure of exempt information as defined in paragraph 12, Section 4, Schedule 12A, Local Government Act 1972. This paragraph applies as the report contains information about specific individuals who have the right to privacy. There is no public interest that calls for disclosing personal information about these individuals. Consequently, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

6. **INTERVIEWS FOR THE POST OF HEAD OF FINANCE**

- a) The order of the day was confirmed with the Members.
- b) Mr Geraint Owen (Head of the Corporate Support Department) was invited to present brief observations on the performances of the two applicants at an external

Assessment Centre held on 15/11/21 by the Edgecombe company. The results of the psychometric tests and the applicants' competencies were noted.

Mr Dafydd Gibbard (Chief Executive), was invited to present a brief feedback on the performances of the two candidates at a professional interview held with the support of Morwena Edwards (Corporate Director)

c) Two applicants were interviewed for the post.

The applicants were invited to give a presentation up to 10 minutes long on the subject 'What are the opportunities and the threats facing the Finance Department over the coming years and how do you propose to respond to these?' They responded to five formal questions asked by the Chair together with follow-up questions from the Members.

Councillor Ioan Thomas (Cabinet Member – Finance) was invited to give observations on the responses of the applicants.

ch) It was proposed and seconded that the post be offered to Dewi Morgan

RESOLVED to appoint Dewi Morgan to the post of Head of Finance

The meeting commenced at 10.00am and concluded at 13:20

Agenda Item 5

Meeting:	Chief Officers' Appointment Committee
Date:	7 February 2022
Title:	Annual Review – Council's Pay Policy
Purpose:	Agree on a recommendation to full Council
Author:	Dafydd Gibbard – Chief Executive

BACKGROUND

1. Since 2012 there is a statutory responsibility on all Councils to adopt a pay policy on an annual basis. This statutory requirement states that the responsibility for approving a pay policy rests with the full Council.
2. When adopting the pay policy for 2012/13, the full Council resolved to ask the Chief Officers' Appointments Committee to conduct an annual review of the pay policy's future sustainability and to submit recommendations to a meeting of the full Council in March each year.
3. The Committee is therefore asked to consider the content of the draft policy for 2022/23 and to submit a recommendation to the meeting of the full Council on the 3rd of March.

CHIEF OFFICERS

4. During the corresponding meeting last year, the Chief Executive at the time presented his findings on a review of Chief Officer salaries within the Council. The Committee came to a general conclusion that the salaries of some Chief Officer roles should be reviewed, but that no further work should be undertaken until there is confirmation on a national level on whether local government staff in general will receive a pay increase or not for 2021/22. Whilst no pay agreement is in place yet, there is however a general acceptance that a pay increase will be issued in due course. In therefore expecting an increase for staff later this year, I will then review the salary grades for individual Chief Officer roles and present a report to the Committee. It's therefore probable that I will be in a position to present a report over the course of the forthcoming year.
5. Separately to the above review, it should be noted that each Chief Officer has the contractual right to the pay increases that are agreed upon by the National Joint Council for Chief Officers. These are contractual terms that each employer must implement. With this in mind, the Pay Policy states that **“Chief Officers employed under JNC terms and conditions are contractually entitled to any national JNC determined pay rises and this Council will therefore pay these as and when determined in accordance with current contractual requirements”**. This means that Council approves those pay increases as a result of annually adopting the pay policy. As referred to above, the unions and employers at a national level are yet to agree on a pay rise for 2021/22. They will also need to conduct discussions on a possible pay rise for the year 2022/23.

POSTS BELOW CHIEF OFFICER LEVEL

6. Staff working in roles below those of Chief Officer level also have the contractual right to pay increases that are agreed upon by the National Joint Council for Local Government Workforce.

As previously mentioned in this report, there is no agreement yet in place on a pay rise for 2021/22, and the unions and employers will also need to discuss any possible increase for 2022/23.

7. In December 2021, the Government of Wales announced their intention to finance an increase in pay for staff working in the care sector to the level of the Living Wage. The voluntary rate of the Living Wage is issued by the Living Wage Commission and is entirely separate to the National Living Wage as decided upon by the UK Government. At the moment, the Living Wage hourly rate is £9.90. Further information on how local government will introduce this new plan is yet to arrive, but here in Gwynedd the expectation is that our carers, in anticipating a pay rise for 2021/22 and 2022/23, will receive an hourly rate that is over and above the Living Wage rate.

RECOMMENDATION

8. That the Committee submits the draft 2022/23 Pay Policy Statement to the full Council for approving.



Pay Policy – 2022 / 23

1. INTRODUCTION

The Council is required by Section 38(1) of the Localism Act 2011 to prepare a pay policy statement on an annual basis. This statement must articulate the Authority's own policies towards a range of issues relating to the pay of its workforce, particularly its senior staff (or 'chief officers') and its lowest paid employees. Pay policy statements must be prepared for each financial year and they must be approved by full Council.

Gwynedd Council recognises the importance of managing pay in a fair, consistent and transparent manner, and the decisions taken in this regard are crucial so as to ensure equal pay and equality within the organisation.

2. PAY POLICY FOR CHIEF OFFICERS

The Council defines its chief officers as being its Chief Executive, Corporate Director and Heads of Department. The Council is also the host authority on employment for the North Wales Economic Ambition Board and the North and Mid Wales Trunk Road Agent, and as a result the relevant chief officers within those organisations also fall within the scope of this policy.

The Council employs Chief Officers under the Joint National Committee (JNC) terms and conditions, which are incorporated into their contracts of employment. The JNC for Chief Officers negotiates on national (UK) annual cost of living pay increases for this group. Chief Officers employed under JNC terms and conditions are contractually entitled to any national JNC determined pay rises and this Council will therefore pay these as and when determined in accordance with contractual requirements.

3. SALARIES

The policy concerning the salaries of Heads of Department and Corporate Director was originally adopted by the full Council in October 2009 and subsequently in June 2012, as part of the overall Policy's annual review. A further partial review was conducted in March 2015 in order to reflect further structural changes within the Council. At that time, chief officer salaries were based on a report produced by Korn Ferry (formerly the Hay Group), and on their job evaluation scheme.

A review of the Council's chief officer salaries was undertaken in February 2021. The review was based on comparing jobs with similar roles in the regional market, so that the assessment reflects the real and relevant situation to northern and central Wales.

The Chief Executive's salary has been set in accordance with the scale of £109,638 - £118,063.

The Council does not pay any bonus payments or performance related pay to its Chief Officers. The Council's local terms and conditions of service are relevant to Chief Officers, as for all other staff, unless otherwise noted within individual policies.

The salaries of the Council's Chief Officers are available on the Council's website (See Appendix 1).

The Welsh Government has formed an Independent Remuneration Panel. This Panel has the authority to issue advice and recommendations to local authorities who are considering amending employment terms for Chief Executives. When authorities intend to amend the salary level for a Chief Executive, and when this change is not consistent with changes in salaries for all of that authority's employees, then the matter has to be discussed with the Panel prior to taking any final decision.

4. POSTS BELOW CHIEF OFFICER LEVEL

The Council's pay policy for its remaining staff is based on the Council's equal pay policy and its collective agreement with the recognised trade unions as introduced on the 1st April 2008. The Council's pay structures are subject to equal pay audits.

The Council has adopted the GLPC Job Evaluation Scheme criteria as the basis for setting salary grades for all posts employed under the Local Government Workers' Conditions of Service. The Council is committed to pay salaries in accordance with equal pay legislation and the "single status" agreement that was set between local government employers and the recognised trade unions in 1997.

The Council does not pay any bonus payments nor pay which is based on workers' performance.

The relationship between the remunerations of its Chief Officers and its other employees is designed to secure the ability of the Council to be able to recruit and retain the best suitable candidates to its various posts, whilst maintaining the differentials as defined by the job's evaluation scheme.

The Hutton Review of Fair Pay in the Public Sector recommends a maximum ratio of no more than 1:20 between the highest and the lowest paid (full time equivalent). This ratio within the Council is currently 1:6.4.

5. SALARY ON COMMENCEMENT IN POST

The number of increments within each grade reflects the possible period of development in post that could be relevant to individuals on that grade. Members of staff will be appointed to the salary point within the grade which reflects the time required for development in order that they are able to undertake the full responsibilities and duties of the post.

Normally, each employee is appointed to the lowest pay point within the appropriate pay grade. If an employee is already being paid above the lowest pay point or if there is sufficient evidence to demonstrate that the employee is already fully competent to fulfil a number of aspects relating to the post, a manager can, in consultation with the Head of Corporate Support or deputy, appoint on a higher pay point within the appropriate pay grade.

If there is a capacity within the job grade, all members of staff will receive an annual pay increment on the 1st April, on condition that they have been appointed to their current post for more than six months prior to that date.

6. RELOCATION EXPENSES

In circumstances when it is essential for staff to relocate so as to undertake their role, the Council can in certain circumstances contribute to the cost of relocating. The scheme is relevant to staff

appointed as a result of an advertisement or following an internal re-organisation where they have to move house.

The employee's present home must be more than 20 miles from his/her administrative centre in order to consider an application to reimburse costs.

In such circumstances, the cost of the removal of furniture and belongings will be reimbursed subject to accepting the lowest of three estimates as well as the full cost of storing furniture for up to three months. A contribution of up to £3,270 to cover legal expenses, estate agent fees, change of carpets and curtains and other incidental costs of removal will be paid subject to the receipt of supporting invoices.

7. MARKET SUPPLEMENT

The grading of posts is based on the Council's job evaluation scheme as this ensures that the pay system is based on equality as defined in the Equal Pay Act 1970 and ensures consistency in pay decisions. For these reasons any deviation from this system may create a risk to the Council that must be robustly regulated. There must be clear reasons to justify any deviation from this arrangement.

However, there may be occasions when market forces lead to recruitment and/or retention problems in relation to a specific post. The Council therefore may in exceptional circumstances, and in order to attract and/or retain an individual to a particular post, offer an additional temporary supplement to the substantive salary grade.

In this respect a market supplement will only be used when there is adequate documented evidence of a failure to attract and/or retain an employee to a post. A market supplement is not a permanent addition to the salary. Should circumstances related to the market rate of the post change, or where a member of staff is transferred by the Council to a different post that does not attract a market supplement, then their entitlement to the payment will cease and the supplement will be withdrawn in line with agreed notice.

The Council, at its meeting on the 9 October, 2014, approved a market supplement provision of up to £3,000 for Chief Officers where it can be justified by a business case. There is no ceiling set in respect of market supplement levels for other posts.

8. HONORARIA (UNDERTAKING ADDITIONAL RESPONSIBILITIES)

An additional payment can be approved when an employee agrees to temporarily undertake some specific additional duties and responsibilities which are beyond the normal duties and responsibilities of their substantive post. The proportion of higher level of duties and responsibilities must be significant, evaluated at a higher salary level and over an extended period before temporary additional pay can be offered.

9. ON-DUTY, STANDBY AND CALL OUT PAYMENTS

The Council is committed to providing services according to the needs of the people of Gwynedd. This means that at times it will be necessary for staff to be called upon to carry out work outside their normal working pattern and at unsociable times. The Council responds to these requirements by:

- having suitably trained staff on duty to take calls and to decide upon the relevant course of action
- having a suitably trained workforce on standby, to be able to be called out at short notice to respond to emergency work
- issue payments to staff at suitable rates that recognise the inconvenience and disruption that this work causes.

On duty is defined as a period of time when an officer is on duty outside of their normal hours of work for a specific period of time and is available to respond to calls from residents, emergency services, etc.

Standby is defined as a specific period of time when an officer is **available** to be called out, outside of their normal hours of work.

In some cases on duty or being on standby will form a part of officers' basic salary and their contract of employment will specifically state this. They will not be entitled to any extra payment whilst on duty or on standby. Payment for other officers will be by way of an additional, separately identified payment that will reflect the level of inconvenience and disruption to the officers' normal home life that is incurred. Officers will receive a minimum of two hours at the appropriate rate of pay for each time they are called out (including travelling time).

On-duty/standby payments will be updated annually in line with the annual salary increase agreed by the National Joint Council for Local Government Services.

10. PROFESSIONAL FEES

One fee per annum will be reimbursed to officers in respect of membership of recognised bodies which are relevant to their professional function and where that membership is a requirement by the Council.

11. CAR USERS

All staff are denoted as casual car users and reimbursements are paid for business travel on HMRC rates.

12. SUBSISTENCE PAYMENTS

Subsistence repayments will be made when travelling out of County for breakfast, dinner, tea and supper, up to the maximum of the Council's subsistence allowances. For those individuals whose normal work covers more than one County, e.g. Gwynedd and Môn, "Out of County" is defined as outside that normal area of work.

13. WORKING ADDITIONAL HOURS

Employees, in receipt of basic pay at or below point 22 who are required to work additional hours beyond the 37 hour working week are entitled to receive enhancements at the rate of basic pay at time and a half (alternative arrangements in place for those workers with work patterns where those hours worked are on a fortnightly/monthly or annual basis). Employees paid above point 22 who work beyond the 37 hour week will be paid at their basic rate of pay for those additional hours or will be entitled to time off in lieu, or if the Head of Department has specifically given prior approval to planned work then it is possible to pay at the rate of time and a half.

14. WORKING UNSOCIABLE HOURS

Salary is paid at the basic rate on weekends, for work is undertaken within the 37 hour standard week. Enhanced pay of basic pay and a third is paid to those employees who work between the hours of 10pm and 6am.

Salary is paid in accordance with the national agreement for work conducted on bank holidays and additional statutory days.

15. FIRST AID ALLOWANCE

An annual allowance is paid to employees who act as designated First Aiders.

16. LOCAL ELECTION DUTIES

The Council's fees for payments to its Returning Officer and Deputy Returning Officer for local election duties are included in Appendix 2.

17. SEVERANCE AND RETIREMENT

The Council's severance and retirement schemes are applied equally and fairly to all staff regardless of grade, age or gender and are implemented in accordance with the regulations of the relevant pension schemes. There are no exceptions for Chief Officers. The relevant policies are available on the Council's website.

18. FINANCIAL DETRIMENT SCHEME

Financial detriment is defined as a loss due to a change in salary grade and contractual terms and conditions. The Council provides financial assistance to staff who face financial loss (due to re-structuring or re-designation of responsibilities) for a period of two years, based on one year on 100% protection and one year on 50% protection from the date that the change in the employment package becomes operational. That financial assistance will cease after two years unless the individual member of staff has in the meantime been appointed to another post where he/she is not facing financial detriment.

19. RE-EMPLOYMENT

The Council will consider each candidate on their own merit and will appoint with a view to achieving the best efficiency for the service and best value for its ratepayers. Such an appointment, if made, would be subject to any abatements stipulated in the Local Government Pension Scheme Regulations.

In accordance with tax law, managers must ensure that any proposed arrangement to pay an individual through a 'contract for services' will be assessed through the HMRC's online tool for confirming employment status. This assessment is to be taken objectively.

20. APPOINTMENT OF NEW CHIEF OFFICER (SALARY OF £100,000 AND ABOVE)

The Full Council will approve any amendment to the salary package of any such post prior to its recruitment. Any amendment would have to be referred to the Independent Remuneration Panel, as stipulated in part 3 of this policy.

Recruitment to any such post will be advertised externally

Chief Officer Pay as of April 2021: There is no agreement yet on pay for 2021/22 or 2022/23

Chief Executive	£109,638 - £118,063
Corporate Director	£89,058 - £98,954
Head of Education	£83,330 - £92,590
Head of Finance	£75,596 - £83,993
Heads of Corporate Support, Economy and Community, Adults, Health and Wellbeing, Children and Supporting Families, Highways & Municipal, Environment, Housing and Property, North and Mid Wales Traffic Agency (Gwynedd Council is the host authority for the agency)	£70,342 - £78,156
Head of Consultancy	£59,419 - £66,021
Monitoring Officer	£67,183 - £70,124

APPENDIX 2

ELECTION PAYMENT SCHEME AS APPROVED BY GWYNEDD COUNCIL

Fees for the general conduct of the election and performance of all duties which a Returning Officer is required to perform under any order or other enactment relating to the election of Councillors

Returning Officer and Deputy Returning officer Fees	Contested	Uncontested
<p>Returning Officer</p> <p>For the general conduct of the election and performance of all duties which a Returning Officer is required to perform under any order or other enactment relating to the election of Councillors.</p> <p>For each Electoral Division, Community/Town Council, Community/Town Council Ward</p> <p>Deputy Returning Officer</p> <p>Specific duties to include attending to receive nomination papers, examining them and adjudicating on their validity; dealing with candidates; notifying candidates of decisions on nominations, publishing statements of persons nominated and attending to receive withdrawals and conducting the counts.</p> <p>For each Electoral Division, Community/Town Council, Community/Town Council Ward</p> <p>By-Elections</p>	<p>125.00</p> <p>85.00</p>	<p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>75.00</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p>

In any by-election where a Deputy Returning Officer is employed to manage the count:

For each Electoral Division, Community/Town Council, Community/Town Council Ward

34.00