

CITY OF
WOLVERHAMPTON
C O U N C I L

Council Meeting

Wednesday, 20 March 2024

Dear Councillor

COUNCIL - WEDNESDAY, 20TH MARCH, 2024

Please find enclosed, for consideration at the meeting of the Council, Wednesday, 20th March, 2024 an updated Pay Policy Statement Report.

Agenda No Item

- 9 **Pay Policy Statement 2024 - 2025 (Pages 3 - 14)**
 [To refer to Council for approval the new Pay Policy and the publication of the Pay Policy]

If you have any queries about this meeting, please contact the democratic support team:

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CITY OF WOLVERHAMPTON COUNCIL	Cabinet 20 March 2024
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Report title	Pay Policy Statement 2024-2025	
Decision designation	RED	
Cabinet member with lead responsibility	Councillor Paula Brookfield Governance and Equalities	
Key decision	Yes	
In forward plan	Yes	
Wards affected	All Wards	
Accountable director	David Pattison, Chief Operating Officer	
Originating service	People Services	
Accountable employee(s)	Laura Phillips Tel Email	Deputy Director People and Change 01902 558892 Laura.phillips@wolverhampton.gov.uk
Report to be/has been considered by	Strategic Executive Board Full Council	5 March 2024 20 March 2024

Recommendations for decision:

Cabinet recommends that Council approves:

1. The Pay Policy Statement for 2024-2025.
2. The publication of the Pay Policy Statement in line with the requirements of the Localism Act 2011.
3. The additional Deputy Director posts detailed within this report and listed in Appendix 4.

Recommendation for noting:

The Cabinet recommends that Council notes:

1. That the national pay award for 2024-2025 has not been agreed, at the time of writing the Pay Policy Statement.

The Cabinet is recommended to:

1. Approve the virement of £127,000 from non-pay budgets held in Public Health Business Management to fund the Deputy Director of Public Health post.

1.0 Purpose

- 1.1 To refer to Council for approval the new Pay Policy and the publication of the Pay Policy.
- 1.2 This report has been compiled to comply with the requirements of section 38 (1) of the Localism Act 2011.
- 1.3 To seek approval for the additional Deputy Director posts as detailed within this report.

2.0 Background

- 2.1 Under section 112 of the Local Government Act 1972, the Council has the “power to appoint officers on such reasonable terms and conditions as the authority thinks fit”.
- 2.2 Section 38 of The Localism Act 2011 requires that each Council prepares an annual pay policy statement setting out the following:
 - a. The remuneration of its chief officers. In this context a ‘chief officer’ is defined as:
 - The head of its paid service designated under section 4(1) of the Local Government and Housing Act 1989;
 - Its Monitoring Officer designated under section 5(1) of the act;
 - A statutory chief officer mentioned in section 2(6) of that Act;
 - A non-statutory chief officer mentioned in section 2(6) of that Act;
 - A deputy chief officer mentioned in section 2(8) of that Act.
 - b. The remuneration of its lowest-paid employees, and
 - c. The relationship between:
 - The remuneration of its chief officers, and
 - The remuneration of its employees who are not chief officers.
- 2.3 It should be noted that provisions of the Act do not apply to the staff based in local authority schools.
- 2.4 Additionally the Act requires that the pay policy statement must set out the Council’s policies relating to:
 - a. The level and elements of remuneration for each chief officer covered by the Act
 - b. The remuneration of chief officers on recruitment
 - c. Increases and additions to remuneration for each chief officer
 - d. The use of performance related pay for chief officers

- e. The use of bonuses for chief officers
 - f. The publication of, and access to, information relating to remuneration of chief officers.
- 2.5 The Localism Act requires that a local authority publish the pay policy statement “in such manner as they see fit. Section 38 (4) requires authorities to set out in their pay policy statements their approach to the publication of and access to information relating to the remuneration of chief officers. The requirements to publish a pay policy statement and details of senior pay have also been underpinned by the mandatory requirements in the Local Government Transparency Code 2015. Following approval the Pay Policy will be published on the City Council’s website.
- 2.6 The Act requires the Pay Policy statement to include the data confirming the relationship between the remuneration of its chief officers, and employees who are not chief officers. The City of Wolverhampton Council’s pay ratio has reduced over a number of years from 9.35:1 in 2018-19 to 8:1 in 2024-25.
- 2.7 Comparative data for this financial year is not yet available, however figures for last year show, Sandwell at 8:1 and Dudley at 9:1. Walsall Council report on the pay ratio between the highest pay and the median pay so would not be comparative. Birmingham City Council have not published data for 2023-2024.
- 2.8 As a proactive employer we manage and mitigate the local and national recruitment and retention challenges via our strategic risk register, one of the actions taken is to ensure we continue to be an ‘employer of choice’ and have a competitive offer – we have therefore commissioned an independent review of pay, the outcome of this review will be presented to Cabinet for consideration.
- 2.9 The senior pay scale (appendix 2) sets out the grades that will be applied to senior managers in 2024-2025. The senior pay data (appendix 3) covers senior posts in line within the definitions in the guidance. Decisions on individual increments will not at this point have been taken, as these are subject to performance management criteria and will not take effect, if approved, until after 1 April 2024.
- 2.10 Senior Management posts are evaluated using the Local Government Employer (LGE) Senior Job Evaluation scheme, this is carried out by West Midlands Employers. The LGE scheme evaluates roles based on four criteria; knowledge requirement, creative thinking/policy direction, impact on people/organisation and responsibility for resources.
- 2.11 The Council’s senior leadership team, are required to work effectively to deliver the priorities of Council as well as dealing with the unprecedented ongoing challenges, whilst not losing our sense of ambition, or vision, for our City or our external reputation to reap benefits for our City.
- 2.12 Following a review of strategic capacity, the below posts have now been included within the Pay policy statement for approval, please note these posts are subject to Job Evaluation by West Midlands Employers and recruitment and selection activities as per our Constitution, policies and procedures.

- Deputy Director of Environment and Regulation
- Deputy Director of Transport
- Deputy Director of City Development
- Deputy Director of Public Health

- 2.13 The posts detailed above are anticipated to be grade 13 (subject to job evaluation) and will be funded within existing budgets.
- 2.14 Data on all senior salaries in 2023-2024 will be published on the City Council's web site, following approval. Data relating to posts with salaries over £100,000 are available in appendix 4.
- 2.15 Data required by the Local Government Transparency Code 2015, will also be available by 31 March 2024. This includes employees whose remuneration in the year 2023 – 2024 was at least £50,000 in brackets of £5,000. This information is recorded by job title. For senior managers whose salaries are £150,000 or more a name must also be given. At City of Wolverhampton Council this applies to the Chief Executive, and as a result of the recent JNC pay award this now includes Deputy Chief Executive and Executive Director of Pensions.

3.0 Evaluation of alternative options

- 3.1 The authority is required to prepare and publish a Pay Policy in accordance with the Localism Act 2011.

4.0 Reasons for decision

- 4.1 To ensure that the authority complies with the relevant legislation and best practice guidance.

5.0 Financial implications

- 5.1 At the time of writing this report pay negotiations in respect of the pay award for 2024-2025 have not commenced. The Medium Term Financial Strategy approved by Council on 28 February 2024 currently assumes a 3% pay award for the 2024-2025 financial year.
- 5.2 The Deputy Directors outlined in this report will be funded from existing budgets held with the relevant directorates. The Deputy Director of Public Health will be funded from Public Health Grant. This report also seeks approval for a virement from non-pay budgets to pay budgets totalling £127,000 to fund this post in 2024-2025. [AS/13032024/D]

6.0 Legal implications

- 6.1 The preparation and approval of a senior pay policy statement is a requirement of section 38 of the Localism Act 2011. The Act prescribes information to be included in the statement, its manner of publication and the requirement for the Council to act in accordance with its approved Policy Statement.

In determining pay the Council will comply with all relevant employment legislation. The Council is also bound by collective agreements and contractual arrangements which cannot be unilaterally altered. Relevant legislation includes the Employment Rights Act 1996, Equality Act 2010, Part Time Employment (Prevention of Less Favourable Treatment) Regulations 2000, the Transfer of Undertakings (Protection of Employment) Regulations 2006 (as amended), Agency Workers Regulations 2010, and the Children & Families Act 2014.

The Council has taken steps to ensure there is no discrimination within its pay structures and that all pay differentials can be objectively justified. Where relevant, legislative obligation will supersede the approach and principles outlined in this statement, for example where terms and conditions are preserved as a result of contracts of employment transferring under TUPE. [TC/23022024/C]]

7.0 Equality implications

- 7.1 This report sets out the policies used to manage senior pay across the Council and the current relationship between the highest and the lowest salary levels. All posts are subject to Job Evaluation, as agreed by the Trade Unions in the signing of our collective agreement.
- 7.2 Data on pay and grading, gender and race pay gaps are reported in annual reports.

8.0 All other implications

- 8.1 Appointments into the senior pay structure are made in line with the Council's Constitution and relevant policies and procedures.
- 8.2 Senior Management posts are evaluated using the Local Government Employer (LGE) Senior Job Evaluation scheme, this is carried out by West Midlands Employers.

9.0 Schedule of background papers

- 9.1 None

10.0 Appendices

- 10.1 Appendix 1 - Pay Policy Statement.
- 10.2 Appendix 2 - Senior Management Pay Scale.
- 10.3 Appendix 3 - Pay Policy Data.
- 10.4 Appendix 4 - Current roles where pay range exceeds £100,000 per annum

This report is PUBLIC
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Appendix 3 - Pay Policy Data

Position	Regulations Definition	Annual Salary	Pay Ceiling	Employers Pension Contribution	forecast EPC contribution for non full year	Employers Rate %	Left Role
Chief Executive	Head of Paid Service	£178,152.00	£178,152.00	N/A		N/A	
Executive Director of Pensions (WMPF)	Non-statutory Chief Officer	£154,929.00	£154,929.00	£36,098.46		23.30%	
Deputy Chief Executive	Section 151 Officer	£154,929.00	£154,929.00	£36,098.46		23.30%	
Chief Operating Officer	Monitoring Officer	£141,122.00	£143,768.00	£32,881.43		23.30%	
Executive Director Economy	Non-statutory Chief Officer	£141,122.00	£143,768.00	TBC	TBC	TBC	
Assistant Director - Investment Strategy (WMPF)	Deputy Chief Officer	£128,007.00	£128,007.00	£29,825.63		23.30%	
Black Country Transport Director	Non-statutory Chief Officer	£128,007.00	£128,007.00	£29,825.63		23.30%	
Director of Regeneration	Non-statutory Chief Officer	£128,007.00	£128,007.00	£29,825.63		23.30%	
Director of Public Health	Statutory Chief Officer	£128,007.00	£128,007.00	£29,825.63		23.30%	
Director of Transformation	Deputy Chief Officer	£124,227.00	£128,007.00	£28,944.89		23.30%	
Director of City Economy and Partnerships	Deputy Chief Officer	£124,227.00	£128,007.00	£28,944.89		23.30%	
Director of Resident Services	Deputy Chief Officer	£116,552.00	£128,007.00	£27,156.62		23.30%	
Assistant Director - Investment Management & Stewardship (WMPF)	Deputy Chief Officer	£116,552.00	£128,007.00	£27,156.62		23.30%	
Director of Children's Services	Statutory Chief Officer (DCS)	£106,604.00	£128,007.00	£24,838.73	£14,018.57	23.30%	
Deputy Director of People and Change	Deputy Chief Officer	£103,315.00	£103,315.00	£24,072.40		23.30%	
Assistant Director - Pensions (WMPF)	Deputy Chief Officer	£103,315.00	£103,315.00	£24,072.40		23.30%	
Deputy Director of Education	Deputy Chief Officer	£101,651.00	£103,315.00	£23,684.68		23.30%	
Deputy Director of Assets	Deputy Chief Officer	£101,651.00	£103,315.00	£23,684.68		23.30%	
Deputy Director of Commissioning and Transformation	Deputy Chief Officer	£97,684.00	£103,315.00	£22,760.37		23.30%	
Consultant In Public Health	Deputy Chief Officer	£96,376.00	£96,376.00	£13,858.87		14.38%	
Consultant In Public Health	Deputy Chief Officer	£96,376.00	£96,376.00	£13,858.87		14.38%	
Deputy Director Social Care (Children's)	Deputy Chief Officer	£93,721.00	£103,315.00	£21,836.99	£10,828.76	23.30%	
Deputy Director- Families First for Children Pathfinder	Deputy Chief Officer	£93,721.00	£103,315.00	£21,836.99	£10,828.76	23.30%	
Head of Finance (WMPF)	Deputy Chief Officer	£87,294.00	£87,294.00	£20,339.50		23.30%	
Deputy Director of Finance	Deputy Chief Officer	£87,294.00	£87,294.00	£20,339.50		23.30%	
Head of Operations (WMPF)	Deputy Chief Officer	£81,886.00	£87,294.00	£19,079.44		23.30%	
Head of West Midlands Strategic Migration Partnership	Deputy Chief Officer	£81,886.00	£87,294.00	£19,079.44		23.30%	
Head of Partnerships (Public Health)	Deputy Chief Officer	£81,886.00	£87,294.00	£19,079.44		23.30%	
Head of Service Adult Improvement	Deputy Chief Officer	£79,187.00	£87,294.00	£18,450.57		23.30%	
Head of Governance, Risk and Assurance	Deputy Chief Officer	£79,187.00	£87,294.00	£18,450.57		23.30%	
Head of Communities (Public Health)	Deputy Chief Officer	£72,756.00	£87,294.00	£16,952.15		23.30%	
Head of Service (Mental Health Assessment and Care Management)	Deputy Chief Officer	£73,786.00	£73,786.00	£17,192.14		23.30%	
Head of Revenues and Benefits	Deputy Chief Officer	£73,786.00	£73,786.00	£17,192.14		23.30%	
Head of Legal Services	Deputy Chief Officer	£73,786.00	£73,786.00	£17,192.14		23.30%	
Head of Adult Services	Deputy Chief Officer	£73,786.00	£73,786.00	£17,192.14		23.30%	
Head Of City Planning	Deputy Chief Officer	£73,786.00	£73,786.00	£17,192.14		23.30%	
Head of Service (Learning Disabilities Management)	Deputy Chief Officer	£73,786.00	£73,786.00	£17,192.14		23.30%	
Head of Procurement	Deputy Chief Officer	£72,735.00	£73,786.00	£16,947.26		23.30%	
Head of Governance	Deputy Chief Officer	£71,686.00	£73,786.00	£16,702.84		23.30%	
Head of Adult Services	Deputy Chief Officer	£70,632.00	£73,786.00	£16,457.26		23.30%	
Head of Service Specialist Support	Deputy Chief Officer	£69,582.00	£73,786.00	£16,212.61	£7,106.90	23.30%	
Head of Internal Audit	Deputy Chief Officer	£69,582.00	£73,786.00	£16,212.61	£10,527.09	23.30%	
Head of City Investment	Deputy Chief Officer	£66,443.00	£66,443.00	£15,481.22		23.30%	
Head of Equality, Diversity and Inclusion	Deputy Chief Officer	£66,443.00	£66,443.00	£15,481.22		23.30%	
Head of Commercial	Deputy Chief Officer	£66,443.00	£66,443.00	£15,481.22		23.30%	
Head of Service Health & Safety	Deputy Chief Officer	£66,443.00	£66,443.00	£15,481.22		23.30%	
Head of the Hub	Deputy Chief Officer	£66,443.00	£66,443.00	£15,481.22		23.30%	
Head of Community Financial Support	Deputy Chief Officer	£66,443.00	£66,443.00	£15,481.22		23.30%	
Service Manager Financial Wellbeing	Deputy Chief Officer	£64,354.00	£66,443.00	£14,994.48		23.30%	
Service Manager (Family hubs and start for life)	Deputy Chief Officer	£63,281.00	£66,443.00	£14,744.47	£13,209.43	23.30%	
Director of Adult Social Care	Statutory Chief Officer (DASS)	£124,227.00	£128,007.00	tbc	tbc	tbc	

Position - Leavers	Regulations Definition	Annual Salary	Pay Ceiling	Employers Pension Contribution	forecast EPC contribution for non full year	Employers Rate %	Left Role
Deputy Director Social Care (Children's)	Non-statutory Chief Officer	£103,315.00	£103,315.00		£13,749.56	23.30%	06/09/23
Executive Director of Families	Statutory Chief Officer (DASS and DCS)	£141,122.00	£143,768.00		£17,116.36	23.30%	08/10/23
Head of Enterprise	Deputy Chief Officer	£73,786.00	£73,786.00		£9,279.04	23.30%	15/10/23
Head of Adult Education	Deputy Chief Officer	£73,786.00	£73,786.00		£5,699.31	23.30%	31/07/23
Head of City Development	Deputy Chief Officer	£73,786.00	£73,786.00		£7,159.47	23.30%	31/08/23
Head of Service Adoption at Heart	Deputy Chief Officer	£73,786.00	£73,786.00		£8,619.62	23.30%	01/10/23
Director of Finance	Section 151 Officer	£128,007.00	£128,007.00	£24,173.58		23.30%	26/01/24
Director of Adult Social Care	Statutory Chief Officer (DASS)	£116,552.00	£128,007.00	£22,371.17	£24,031.75	23.30%	18/02/24

New internal post included above

Localism Act

(2) In this Chapter "chief officer", in relation to a relevant authority, means each of the following—

- (a) the head of its paid service designated under section 4(1) of the Local Government and Housing Act 1989;
- (b) its monitoring officer designated under section 5(1) of that Act;
- (c) a statutory chief officer mentioned in section 2(6) of that Act;
- (d) a non-statutory chief officer mentioned in section 2(7) of that Act;
- (e) a deputy chief officer mentioned in section 2(8) of that Act.

Local Gov't & Housing Act

(7) In this section "non-statutory chief officer" means, subject to the following provisions of this section—

- (a) a person for whom the head of the authority's paid service is directly responsible;
- (b) a person who, as respects all or most of the duties of his post, is required to report directly or is directly accountable to the head of the authority's paid service; and
- (c) any person who, as respects all or most of the duties of his post, is required to report directly or is directly accountable to the local authority themselves or any committee or sub-committee of the authority.

(8) In this section "deputy chief officer" means, subject to the following provisions of this section, a person who, as respects all or most of the duties of his post, is required to report directly or is directly accountable to one or more of the statutory or non-statutory chief officers.

(9) A person whose duties are solely secretarial or clerical or are otherwise in the nature of support services shall not be regarded as a non-statutory chief officer or a deputy chief officer for the purposes of this Part.

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Appendix 4 - Established roles (including vacancies) where pay range exceeds £100,000 per annum

Post	Grade
Chief Executive	GR17
Deputy Chief Executive	GR16
Executive Director of Pensions	GR16
Executive Director Economy	GR15
Chief Operating Officer	GR15
Assistant Director - Investment Strategy (WMPF)	GR14
Black Country Transport Director	GR14
Director of Finance	GR14
Director of Public Health	GR14
Director of Regeneration	GR14
Director of Transformation	GR14
Director of City Economy and Partnerships	GR14
Assistant Director - Investment Management & Stewardship (WMPF)	GR14
Director of Adult Social Care	GR14
Director of Resident Services	GR14
Director of Children's Services	GR14
Assistant Director - Pensions (WMPF)	GR13
Deputy Director of People and Change	GR13
Deputy Director of Assets	GR13
Deputy Director of Education	GR13
Deputy Director of Commissioning and Transformation	GR13*
Deputy Director of City Housing	GR13*
Deputy Director of Children's Social Care	GR13*
Deputy Director - Families First for Children Pathfinder	GR13*
Deputy Director of Finance	GR13
Deputy Director of Environment and Regulation	Subject to job evaluation
Deputy Director of Transport	Subject to job evaluation
Deputy Director of City Development	Subject to job evaluation
Deputy Director of Public Health	Subject to job evaluation

Sensitivity: RESTRICTED

*not yet earning 100K