

## Special Urgency Decision

<b>Report title</b>	Senior Pay Policy Statement 2020-2021	
<b>Decision Maker</b>	Council	
<b>Cabinet member with lead responsibility</b>	Councillor Ian Brookfield Leader of the Council	
<b>Wards affected</b>	All Wards	
<b>Accountable Director</b>	Mark Taylor, Deputy Chief Executive	
<b>Originating service</b>	Human Resources	
<b>Accountable employee</b>	Denise Pearce	Head of Human Resources
	Tel	01902 554515
	Email	<a href="mailto:denise.pearce@wolverhampton.gov.uk">denise.pearce@wolverhampton.gov.uk</a>

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### Recommendation for decisions:

That the Leader of the Council, two cabinet members, and the Chair and Vice Chair Scrutiny Board formally authorise the following decisions under the special urgency provisions as detailed in the Council's Constitution namely paragraphs 6.10 and 6.11 of article 6 authorises the following decisions under the special urgency provisions:

1. Approve the Senior Pay Policy Statement for 2020-2021.
2. Approve the publication of the Senior Pay Policy Statement in line with the requirements of the Localism Act 2011.
3. Note that the Pay Policy incorporates a new Grade 13 into the Senior Management Pay Structure, in order to provide a more flexible, adaptable structure to support future reviews and rationalisation of senior managers.
4. Note that the Pay Policy has been revised to ensure that it is explicit, that an Individual Executive Decision Notice, reportable to Cabinet (Resources) Panel in the usual manner, is required, if the Leader of the Council in consultation with the Head of Paid Service, makes additional payments below £100,000, on cessation of employment, for reasons other than redundancy.

This is agreed by the following:

Leader of the Council .....

Cabinet member .....

Cabinet member.....

Chair of Scrutiny Board.....

Vice-Chair of Scrutiny Board.....

*Councillor Crofts requested that it be noted, that whilst he has agreed to authorise the decision to avoid further debate at this time of crisis, he has reservations on the decision which would be raised at a later date.*

Date 30 March 2020

## 1.0 Purpose

- 1.1 The purpose of this report is to consider and approve the new Senior Pay Policy Statement and its publication due to the cancellation of Full Council due to the Covid 19 outbreak.

## 2.0 Background

- 2.1 On 18 March 2020 Cabinet considered a report on Senior Pay Policy Statement 2020-2021.
- 2.2 A copy of the report can be accessed online on the Council's website [here](#).
- 2.3 Cabinet recommended to Council that it approves:
1. The Senior Pay Policy Statement for 2020-2021.
  2. The publication of the Senior Pay Policy Statement in line with the requirements of the Localism Act 2011.
- 2.4 Cabinet recommended to Council that it notes:
1. That the Pay Policy incorporates a new Grade 13 into the Senior Management Pay Structure, in order to provide a more flexible, adaptable structure to support future reviews and rationalisation of senior managers.
  2. That the Pay Policy has been revised to ensure that it is explicit, that an Individual Executive Decision Notice, reportable to Cabinet (Resources) Panel in the usual manner, is required, if the Leader of the Council in consultation with the Head of Paid Service, makes additional payments below £100,000, on cessation of employment, for reasons other than redundancy.

## 3.0 Reasons for Special Urgency

- 3.1 In the light of the current situation involving Covid-19 the Council has, as a result of the Government's decision on restriction of movement, taken the decision to cancel all physical meetings until at least **15 June 2020**. In the intervening period it will use the Council's urgent action powers for any decisions that must be taken. These powers are to be used sparingly and the guiding principles for any decisions are:
- i. Only those decisions that have to be made (i.e. as a result of Covid-19 or related matters, including support of businesses in this difficult time or as a result of an immovable deadline) will be made
  - ii. The decisions will be made or endorsed (where the decisions have to be made very urgently) using the Urgent Action powers
  - iii. The decisions will be made available on a regular basis to Councillors through the daily update to Councillors and in any event through a weekly roundup of the

decisions made through the relevant pages on the Council's website so that the Public can access them.

The relevant powers under the Constitution are:

#### *Council Decision*

##### *6.10 Urgent Decisions outside the Budget or Policy Framework*

*An urgent decision which is contrary to the Policy Framework or budget adopted by the Council may be taken by the Cabinet if the Chair of the Scrutiny Board agrees that the decision is urgent. If no such Chair is available (or willing) then the Mayor or in his/her absence the Deputy Mayor may agree that it is urgent before a decision is taken.*

##### *6.11 Cabinet Decision*

*Where an urgent decision on a matter delegated to the Cabinet is required but it is not feasible to arrange a meeting of the Cabinet, the appropriate Director, in conjunction with the Head of Paid Service is authorised to take the appropriate urgent action provided that the action shall have first been discussed with and approved in writing by the Leader (or in the Leader's absence, the Deputy Leader) and two other Cabinet Members and the Chair and Vice-Chair of the Scrutiny Board or their nominees.*

The written authorisation must include details of the proposal and the justification for the course of action. Expenditure must be within existing budgets. Any action taken under this rule must be reported to the next available meeting of the Cabinet for information. Such decisions will not be subject to the usual Call In procedures set out in Part 4, although they may be examined after implementation to determine whether the justification for the course of action was appropriate

- 3.2 These proposed decisions fall into the criteria for urgent decisions set out above. Section 39 of the Localism Act 2011 requires the statement to be prepared and approved before the end of the 31 March immediately preceding the financial year to which it relates.

#### **4.0 Reasons for decision**

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

#### **5.0 Evaluation of alternative options**

- 6.0 The authority is required to prepare and publish a Pay Policy in accordance with the Localism Act 2011, there are no other options. As such an urgent decision must be made.

## **7.0 Financial implications**

- 7.1 The financial implications are detailed in the Cabinet report of 18 March 2020.  
[AS/27032020/A]

## **7.0 Legal implications**

- 7.1 The legal implications are detailed in the Cabinet report 18 March 2020.  
[DP/27032020/C]

## **8.0 Schedule of background papers**

- 8.1 Cabinet Report – 18 March 2020 – Senior Pay Policy Statement 2020-2021
- 8.2 Localism Act 2011

## **9.1 Appendices**

- 9.1 Appendix 1 - Cabinet, Senior Pay Policy Statement 2020-2021, 18 March 2020