



Employment Manual

# PAY POLICY STATEMENT

For year 2018/2019  
People Management Service

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# 1 INTRODUCTION

This Pay Policy Statement sets out Council policy on pay and conditions for senior managers and employees (excluding operational Fire Fighters and schools' based employees) for 2018-19.

The Council aims to attract and retain employees to deliver the Council's objectives. In determining pay policy for senior managers and all other employees, the Council is committed to ensuring a fair and transparent approach. Within this, it is recognised that different approaches may be required between groups of employees reflecting factors such as difficulties in attracting and retaining key skills.

## 2 KEY PRINCIPLES FOR PAY POLICY

- To be fair, reasonable and transparent
- To be affordable
- To reward employees for their contribution to the Council's achievements
- To maintain rates of pay which are both competitive in the market place and reflect the need to retain key skills

## 3 EMPLOYEES IN SCOPE OF THE PAY POLICY STATEMENT

This Pay Policy Statement covers all employees (except teachers and uniformed fire fighters except those defined as Senior Managers.) As such, it goes wider than minimum legal requirements of the Localism Act 2011.

## 4 THE SENIOR MANAGEMENT PAY STRUCTURE

Senior Managers are defined for this purpose as the Chief Executive; Executive Directors – (referred to as Chief Officers); Chief Fire Officer, Deputy Chief Fire Officer, Assistant Chief Fire Officer and Senior Leadership Pay Band. The senior pay structure is attached at Appendix A.

### Chief Executive and Executive Directors

Remuneration is determined by the Pay Policy Sub-Committee and is based on salary comparison against similar posts in other Shire Counties in the Eastern and Midlands region, against the market place and taking into account information from the annual benchmarking exercise with Korn Ferry Hay. The aim is to ensure the Council retains and motivates key employees by maintaining rates of around median pay which are both competitive in the market place and reflect the need to retain key skills. The Chief Executive post is paid on a spot salary<sup>1</sup>. Executive Director posts are all paid at the same single spot salary point because all roles have collective responsibility for the success of all service areas and for the Council as a whole.

### Senior Leadership

Remuneration is determined by the Head of Paid Service and underpinned by the Hay Job Evaluation Scheme. Employees will be appraised in line with agreed objectives. Periodically the pay structure will be reviewed to ensure that salaries offered are competitive in the market place, taking into account the advice set out in the Joint Negotiating Committee<sup>2</sup> (JNC) for Chief Officers of Local Authorities Conditions of Service.

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<sup>1</sup> See Glossary Page 12

<sup>2</sup> See Glossary Page 12

## **Fire & Rescue Service Management Team**

The pay structure is determined in line with the NJC for Brigade Managers (Gold Book<sup>3</sup>) with the Deputy Chief Fire Officer and Assistant Chief Fire Officer receiving 80% and 75% respectively of the Chief Fire Officer salary.

In accordance with the 2011 Code of Recommended Practice for Local Authorities on Data Transparency, information on senior salaries is published on the Council's website - [Data on Senior Salaries](#) together with information about the structure of the workforce. Additional legal provisions about reporting payments over £50,000 in a year are in the Accounts & Audit (England) Regulations<sup>5</sup>, also available in the Council's published accounts on our website: [Statement of Accounts 2016/17](#).

## **5 OTHER EMPLOYEES' PAY STRUCTURE**

### **(including lowest paid employees<sup>4</sup>)**

Remuneration for other employees is normally determined by the Council's Job Evaluation (JE) Scheme<sup>5</sup> which covers all staff on NJC Local Government Services terms and conditions of service. This includes the lowest paid council employees. The Council Pay spine for staff up to and including Service Managers is attached at [Appendices A and B](#).

The Pay and Grading structure used by the Council was implemented by Collective Agreement<sup>6</sup> in July 2008, backdated to be effective from 1 April 2007 and is anchored to the national NJC pay spine for Local Government Services. The JE Scheme, the Greater London Provincial Council Scheme, was selected through a process of consultation with staff and Trade Unions and complies with equal pay requirements.

The Council and Unions signed a Collective Agreement in 2015 incorporating changes to modernise the local conventions for Job Evaluation.

The Council has a locally determined Apprentice Rate which is a spot salary and is included in the Lincolnshire Payspine at Appendix B.

## **6 NON-STANDARD TERMS AND CONDITIONS**

Staff transferring into the Council under The Transfer of Undertakings (Protection of Employment) Regulations 2006 (TUPE) arrangements, have the right to retain their existing terms and conditions. The largest group includes those staff who transferred from Public Health.

Additionally some specialist posts, mainly in education related services, such as Educational Psychologists and the Youth Service are recruited to specific terms and conditions although they are in scope of the [Local Scheme of Conditions of Service](#).

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<sup>3</sup> See Glossary Page 12

<sup>4</sup> The Council's definition of "lowest-paid employee" is an employee paid at SCP1 on the Pay Spine attached at Appendix B. The reason for adopting this definition is that SCP1 represents the lowest FTE salary paid by the Council.

<sup>5</sup> The Job Evaluation scheme ensures that all jobs are graded fairly and equitably between men and women

<sup>6</sup> A Collective Agreement is a formal agreement signed between the County Council and the recognised Trade Unions

## **7 THE NATIONAL PAY AWARD**

Pay levels are adjusted to take account of any cost of living increase negotiated nationally by the JNC for Local Authority Chief Executives<sup>7</sup>; the JNC for Chief Officers of Local Authorities and the NJC for Local Government Services. The pay rates in Appendix A were adjusted to reflect the 1% national pay award for 2017 (NB: the percentage increases apply to individual salaries as well as pay points). The pay rates in respect of the NJC for Local Government Services in Appendix B are adjusted to reflect the 1% national pay award for 2017.

## **8 ATTRACTION AND RETENTION PAYMENTS**

The Council recognises that at times it may be difficult to recruit new employees or retain existing staff in key posts. To ensure the Council attracts and retains a skilled and experienced workforce, salary supplements may be paid in addition to the post grade. Further details can be found in the [Attraction and Retention Payments Procedure](#).

## **9 RELOCATION EXPENSES AND DISTURBANCE ALLOWANCES**

Relocation Expenses and Disturbance Payments are paid to employees to cover additional costs they may incur as a result of a change or disturbance to work base. These are paid in accordance with the [Relocation Expenses and Change of Workbase Policy](#).

## **10 STARTING PAY**

Employees, when appointed to posts within the Council are paid on an incremental scale and will normally be appointed at the minimum point of the pay grade for that post. However, in certain circumstances it may be appropriate to appoint to a higher point within the pay grade. This should be objectively justifiable and have regard to the pay of existing employees within the service area. See [Green Book Employees Pay and Conditions Policy](#).

It is also necessary to be aware of any restrictions to this, e.g. the requirement of a qualification which prevents this normal sequence of events from occurring.

Where an employee is appointed who does not yet meet the minimum competency requirements for that role, they are appointed in accordance with the [Appointed One Point Below Policy](#).

## **11 PERFORMANCE RELATED PAY (PRP) AND “EARN BACK”**

There is a performance related pay framework for employees in scope of Senior Leadership Pay Band.

## **12 PAY PROGRESSION**

The Chief Executive, Executive Directors and Fire & Rescue Senior Managers are excluded from this scheme within the Council. They are appointed to a spot salary so no pay progression applies.

For other employees, from January 2018 all performance and development appraisal reviews will include a rating of the employee's performance. This rating will be used to inform incremental pay progression decisions (award of scale points) for employees on GLPC grades, which will be applicable from 1 April 2019.

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<sup>7</sup> See Glossary Page 12

The expected minimum level of performance for all employees is an overall performance and development appraisal rating of successful (i.e. 3) The impact of ratings on incremental pay progression will only affect employees who are on GLPC grades and is not applicable to employees who transferred into LCC under TUPE legislation and remain on the terms and conditions of their previous organisation.

For those on GLPC grades it will only affect those who have not reached the top of their current GLPC scale as at 31<sup>st</sup> March 2019.

The pay of employees who are at the top scale point of their GPLC grade will not be affected.

To be eligible for a pay progression increment, employees must achieve an overall performance and development appraisal rating of successful or above. (i.e. 3 or above).

For other employees, eligibility for incremental progression will be in accordance with the [Green Book Employees Pay and Conditions Policy](#) covering the NJC for Local Government Services Group.

A pay increment may be withheld following an adverse report on an employee's performance (subject to the Council's capability / disciplinary procedures being followed).

Any pay increments withheld may subsequently be paid if the employee's performance becomes satisfactory, but are not backdated.

### **13 REVIEWING INDIVIDUAL PERFORMANCE**

Individual achievement is assessed using the [Council's Appraisal Scheme](#) and all employees will take part in an appraisal process. In most cases this will be the full Council appraisal process; however, there may be some cases where the process is amended so that it is appropriate to the role of the employee.

Learning and development needs will be linked to the [County Council's Core Values & Behaviours Framework](#) which are interchangeable with occupational national standards of competence where appropriate.

### **14 RESPONSIBILITY FOR REVIEWING PERFORMANCE**

The Chief Executive's individual performance will be assessed by the Leader of the Council together with the appointed cross-party group. For individual Executive Directors, the assessment will be made by the Chief Executive and reported to the cross-party group.

For all other employees, the assessment will be made by the individual's line manager, as appropriate.

### **15 ACTING UP ARRANGEMENTS**

Employees temporarily acting up into a role which is normally graded on a higher level should be paid at the appropriate level for the duties they are asked to perform. Further details can be found in the Council's [Green Book Employees Pay and Conditions Policy](#) covering the NJC for Local Government Services Group.

### **16 HONORARIA**

An honorarium payment may be made for exceptional or special work undertaken on a short term basis of not more than 6 months and will be in accordance with the Council's

[Green Book Employees Pay and Conditions Policy](#) covering the NJC for Local Government Services Group.

## **17 EMPLOYEES ON FIXED TERM/TEMPORARY CONTRACTS**

The Council will not treat employees on fixed term or temporary contracts less favourably than employees on a permanent contract. See [Fixed Term and Temporary Contracts Policy and Procedure](#).

## **18 ALLOWANCES/EXPENSES**

### **Chief Executive, Executive Directors and Senior Leadership**

Allowances will be in accordance with the [Local Scheme of Conditions of Service](#) or jointly agreed schemes in Director Areas. Business Travel will be reimbursed in accordance with the [Travel Policy](#). This policy applies to all staff in scope of the Local Scheme of Conditions of Service.

### **Fire & Rescue Service Senior Managers**

Allowances and expenses will be in accordance with the NJC for Brigade Managers Conditions of Service and Service Order 19<sup>8</sup> - Pay and Allowances, available on George.

## **19 SALARY PROTECTION**

Where an employee accepts a post on a lower grade as result of a restructuring or change in the workforce, personal salary protection will apply in accordance with the [Local Scheme of Conditions of Service](#) or Collective Agreement on Pay Protection for those in the Fire & Rescue Service, available on George.

## **20 SEVERANCE PAYMENTS**

For those in the Local Government Pension Scheme, (including Chief Officers) payments relating to redundancy and early retirement will be paid in accordance with the Council's [Redundancy and Early Retirement Policy](#) or [Flexible Retirement Policy](#).

All employees / recruits (including Chief Officers) in receipt of a redundancy payment will be subject to the Redundancy Payments (Continuity of Employment in Local Government etc.) (Modifications) Order 1999<sup>9</sup>.

## **21 PAYMENTS FOR RETURNING OFFICERS DURING LOCAL ELECTIONS**

Payments for the Chief Executive and Executive Directors who are Returning Officers are made in accordance with their respective JNC Conditions of Service. The current Head of Paid Service relinquishes this payment in the favour of the District Chief Executives who fulfil the role of the Deputy Returning Officers.

Payments for employees at Head of Service and below for Local Election duties are made in accordance with the [Local Scheme of Conditions of Service](#).

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<sup>8</sup> See Glossary Page 12

<sup>9</sup> Under the Employment Rights Act 1996 (ERA), an employee can count service with an 'associated employer' towards the service requirement for a redundancy payment (i.e. two years) and, if appropriate, for calculating that payment.

## **22 PAY POLICY SUB-COMMITTEE**

The Pay Policy Sub-Committee undertakes an annual review of the salaries of the Chief Executive and Executive Directors. The Sub-Committee comprises of Councillors from the Appointments Committee, representing the political balance of the Council overall in accordance with the terms of the Local Government and Housing Act 1989.

## **23 LCC GREEN BOOK<sup>10</sup> NEGOTIATING TEAM**

The Negotiating Team considers pay issues relating to all employees within the scope of NJC pay awards.

## **24 RELATIONSHIP BETWEEN SENIOR OFFICERS PAY AND CONDITIONS WITH OTHER OFFICERS**

**(including the lowest paid)**

The approaches for determining senior management pay are set out in paragraph 4 above.

The approach for determining other employees' pay, including the lowest paid employees, is set out in paragraph 5 above.

## **25 PAY MULTIPLES (or pay dispersion)**

Pay multiple is the ratio between the salary of the highest paid employee and the median full time equivalent salary of the organisation. The pay multiple is often referred to as 'pay dispersion.'

For 2018-19 the pay multiple is 4 which is the same as the previous year.

There is no formal mechanism for direct comparison between pay levels of the wider workforce with Senior Manager Pay and there are no Council policies on reaching or maintaining a specific pay multiple.

## **26 RE-ENGAGEMENT OF FORMER SENIOR MANAGERS**

The policy for appointing or re-engaging any Senior Manager who has previously been made redundant by the Council, or who is in receipt of a local government pension, is that there should be a presumption against re-employment for a period of 6 months following the end of their employment. However, in exceptional circumstances Senior Managers may be re-employed by the Council more quickly provided that it is not within one month and one day of their leaving date.

In approving a re-employment of a Senior Manager, Members will need to be satisfied that:

- the employee is not being re-employed in a role or capacity, which is broadly similar to the role from which they were made redundant;
- the rate of pay applied to the work undertaken by the re-engaged employee should be that appropriate to the work to be done and not the grading which applied to the employee prior to the end of their current contract;
- the employment should be for a fixed term, not exceeding one year, unless there are exceptional circumstances; and the arrangement must provide financial / operational advantage to the Council.

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<sup>10</sup> See Glossary Page 12

The policy of the Lincolnshire Pension Fund is not to abate pensions should any officer retire and then return to work for the Council.

## **27 THE USE OF CONTRACTS FOR SERVICES AND APPOINTMENT OF CONSULTANTS**

The HMRC requires the Council to determine whether an arrangement with a consultant or contractor constitutes a contract of employment or can be deemed to be on a self-employed basis.

The determination will need to be made for every agreement that is proposed as the decision on status relates to the contract, not the individual. This must be undertaken before any engagement is agreed or any contract signed.

Where it is determined that an engagement constitutes a contract of employment, normal Council terms and conditions will apply and the work must be paid for at the evaluated rate for the job.

It may be appropriate to re-engage a former employee as a consultant with a contract for service in certain circumstances. This may be appropriate:

- For discrete pieces of work where the former employee has the appropriate skill and experience which is not available elsewhere in the Council.
- Where it is more cost effective
- Where it is difficult to recruit due to market conditions
- Where work of an urgent nature arises at short notice.

Such arrangements should be time limited, and be subject to appropriate written agreements covering the nature, duration, quality standards, and the basis on which the agreement will be terminated. The written agreement must be signed before the arrangement commences.

Initial consideration for providing cover for urgent work should be through the use of temporary employment contracts advertised in the usual manner or through acting up or secondment arrangements made available to existing staff. This should particularly be true where the work relates to the normal business of the service area, as opposed to defined projects or one off tasks.

It is our duty under the Pensions Act 2008 to comply with auto-enrolment Regulations and an assessment will be made on whether the contractor is an employee rather than a contractor and therefore pensionable under the Act.

In determining whether a consultant is genuinely self-employed, the Council will take into account, not only the contractual terms agreed, but also the realities of the employment relationship. This will include whether there is provision for substitution and whether resources are provided by the Council or by the consultant. These examples are not exhaustive and are purely illustrative of the type of factors to be taken into account.

## **28 PERSONAL SERVICE CONTRACTS**

In the contracting sector, the generally accepted definition of a personal service company is a limited company that typically has a sole director, the contractor, who owns most or all of the shares.

Many contractors choose to work for clients using their own [limited companies](#) for many reasons. Limited companies can be a tax efficient way for contractors to work, as they often split their income between [salary and dividends](#), which means they do not pay, employers' or employees' Class 1 National Insurance Contributions on a large part of their overall income.

Personal Service contracts prevent the risk of there being a contract of service, or an employment relationship with the Council which eliminates any income tax liability on the Council.

By using a limited liability company, contractors are also insulated to a certain extent from business risk.

The Council does not currently have any such contracts in place for normal employment.

From the 6 April 2017, the Government changed the rules in relation to [off-payroll working in the Public Sector for intermediaries](#). The Council's policy on [Agency and Other Off-Payroll Working Guidance](#) was updated in line with these changes.

## **29 GENDER PAY GAP INFORMATION**

In accordance with the Equality Act 2010 (Specific Duties and Public Authorities) Regulations 2017, which came into force on the 31 March 2017, employers with at least 250 employees are required to publish annual information as at 31 March each year. This information is published on the Council's website and also externally and on the [Governments Gender Pay Gap website](#).

# APPENDIX A

## Senior Manager Pay Structure – from April 2017

<b>Salary (£)</b>	Chief Executive - £176,708
	Executive Directors - £128,515

### Senior Leadership Pay Band

Pay Zone	Zones	Post Titles	Pay Range		
			Max	Med	Min
<b>Director Band</b>	<b>Single Zone</b>	Director of Public Health	125,438	110,725	102,012
<b>Senior Leadership</b>	<b>Zone A</b>	Chief Operating Officer (Development Services) County Finance Officer Assistant Director Children's (Lead Early Help) Assistant Director Children's (Safeguarding) Consultant in Public Health (Medically Qual) Assistant Director - Joint Commissioning and Specialist Services (Adults) Assistant Director - Adult Frailty and Long-term Conditions Chief Digital Officer	104,056	91,264	82,624
	<b>Zone B</b>	Chief Commercial Officer Chief Commissioning Officer – Learning Chief Commissioning Officer - Children's Chief Legal Officer Consultant in Public Health County Commissioner for Economy & Place	89,278	78,230	71,327
	<b>Zone C</b>	Children's Services Manager (SEND) Children's Services Manager (Locality) Children's Services Manager (Regulated North/Fostering) Children's Services Manager (Regulated South/Adoption) Planning & Environment Commissioner Safer Communities Manager Service Manager – People County Manager (Older Adult Frailty & Long Term Conditions; Learning Disabilities; Special Projects and Hospital Services; Adult Safeguarding) County Manager – Business Support Highway Asset Manager Highway Network Manager Group Manager – Transport Services Infrastructure Commissioner Head of ICT	76,278	67,886	62,664

<b>Consultant (Public Health) reporting to Director of Public Health</b>	
<b>Band 8 *</b>	
	£65,922.00
	£67,805.00
	£70,631.00
	£74,084.00
	£77,850.00
	£81,618.00

<b>Band 9 *</b>	
	£77,850.00
	£81,618.00
	£85,535.00
	£89,640.00
	£93,944.00
	£98,453.00

\* N.B. Director and Consultant roles in Public Health transferred into the Council on the 1 April 2013 from the NHS as part of the Health and Social Care Act 2012. The transfer was under TUPE, therefore terms and conditions of employment, including salary, are protected.

<b>Fire &amp; Rescue Service Management Team</b>	
Chief Fire Officer	£115,497
Deputy Chief Fire Officer	£ 92,489
Assistant Chief Fire Officer	£ 86,709

# APPENDIX B

## Lincolnshire County Council Salary Structure from 1 April 2016-18 NJC for Local Government Services

LCC Pay Spine for staff up to and including Head of Service			
	1 April 2016	1 April 2017	GLPC Points Score
			This Pay Spine is anchored to salary points on the NJC National Pay Spine and these salaries are shown in bold. The relevant Lincolnshire points are scp's 2, 3, 6, 9, 12, 15, 18, 21, 24, 27, 30 and 33 Scp 1 – Apprentice Rate & Business Support - Foundation
1	13449	13583	Apprentice Rate
2	<b>14514</b>	<b>15014</b>	Grade 1 = 182 - 227
3	<b>14771</b>	<b>15246</b>	
4	15107	15495	Grade 2 = 228 - 267
5	15284	15624	
6	<b>15507</b>	<b>15807</b>	
7	16070	16370	Grade 3 = 268 - 307
8	16606	16906	
9	<b>17169</b>	<b>17419</b>	Grade 4 = 308 - 347
10	17839	18017	
11	18540	18725	Grade 5 = 348 - 387
12	<b>19238</b>	<b>19430</b>	
13	20073	20273	Grade 6 = 388 - 427
14	20910	21119	
15	<b>21745</b>	<b>21962</b>	Grade 7 = 428 - 467
16	22476	22700	
17	23205	23437	Grade 8 = 468 - 507
18	<b>23935</b>	<b>24174</b>	
19	24808	25056	Grade 9 = 508 - 547
20	25682	25939	
21	<b>26556</b>	<b>26822</b>	Grade 10 = 548 - 587
22	27711	27988	
23	28762	29049	Grade 11 = 588 - 627
24	<b>29854</b>	<b>30153</b>	
25	30945	31255	Grade 12 = 628 - 667
26	32025	32345	
27	<b>33106</b>	<b>33437</b>	Grade 13 = 668 - 707
28	34382	34726	
29	35660	36017	Grade 14 = 708 - 747
30	<b>36937</b>	<b>37306</b>	
31	38474	38859	Grade 15 = 748 - 787
32	40013	40413	
33	<b>41551</b>	<b>41967</b>	Grade 16 = 788 - 827
34	43697	44134	
35	45844	46302	
36	<b>47992</b>	<b>48472</b>	
37	49602	50098	
38	51211	51723	
39	<b>52820</b>	<b>53348</b>	
40	54430	54974	
41	56040	56600	
42	<b>57649</b>	<b>58225</b>	
43	59258	59850	
44	60868	61476	
45	<b>62478</b>	<b>63102</b>	
46	64087	64727	
47	65695	66352	
48	<b>67305</b>	<b>67978</b>	

### **Part 3 Paragraph 2.6(e) Sleeping-in Duty Payment**

1 April 16  
£34.34

1 April 2017  
£34.68

### **Paragraph 35 Standby Duty Allowance - Social Workers (1)(a)(i) Allowance - Per Session**

1 April 16  
£27.62

1 April 2017  
£27.90

## **APPENDIX C**

### **Glossary of Terms**

#### **Spot Salary:**

Spot salaries within the Council are fixed to a specifically defined spinal column point. There is no progression up to or beyond the rate for each position. Spot salaries are one of the least discriminatory of pay methods because everyone is paid the rate for the job from day one and the pay structure cannot be distorted by differential progression.

#### **JNC for Local Authority Chief Officers**

The primary role of the Joint Negotiating Committee is a national body to reach agreement on a national framework on all national pay and service conditions and items related to any dispute for all chief officers.

#### **NJC for Brigade Managers (Gold Book)**

The primary role of the National Joint Committee for Brigade Managers of Fire and Rescue Services (the NJC) is to reach agreement on a national framework of pay and conditions for Brigade Managers for local application throughout the Fire and Rescue Service in the UK.

#### **JNC for Local Authority Chief Executives**

The Joint Negotiating Committee (JNC) for Chief Executives of Local Authorities is the national negotiating body for the pay and conditions of service of Chief Executives in England and Wales. The Authorities' Side consists of elected members nominated by the Local Government Association. The Staff Side consists of Chief Executives nominated by the Association of Local Authority Chief Executives (ALACE). ALACE is registered as an independent trade union.

#### **NJC for Local Government Services**

The pay and terms of conditions of employment for Local Government Services' workers is determined by the National Joint Council for Local Government Services. The NJC for Local Government Services has 70 members: 12 on the employers' side and 58 on the trade union side.

In 1997, the NJC for Local Government Services agreed a national framework with potential for local modification to suit local service requirements. Known as The Single Status Agreement, these pay and conditions of service agreements are published in [The Green Book: Local Government Scheme of Conditions of Service](#).

#### **Greater London Provincial Council (GLPC) Job Evaluation Scheme**

The Council use the scheme developed to support local authorities in carrying out their obligations under the national agreement on single status. The job evaluation scheme was the subject of consultation with the Equal Opportunities Commission. The scheme is jointly agreed by the employers and unions in London local government. It was developed by a working party of experienced evaluators and tested jointly at regional and local authority levels.

The scheme is accompanied by a code of good practice and a framework procedure to inform local arrangements.

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