

## **Bracknell Forest Council**

### **PAY POLICY STATEMENT FOR THE FINANCIAL YEAR 2013/14**

**(Reported data based on 2012/13)**

#### **INTRODUCTION**

##### **Source and scope of policy statement**

This Policy Statement has been produced in accordance with Sections 38 to 43 of the Localism Act 2011 (the Act), which, from 2012 onwards, require local authorities to publish an annual statement of their policy for the relevant financial year in relation to:

- The remuneration of their most senior employees (which the Act defines as the head of paid service (Chief Executive), the Monitoring Officer, the Chief Officers (or Directors), and the Deputy Chief Officers (i.e. managers who report directly to a Director));
- The remuneration of their lowest-paid employees; and
- The relationship between the remuneration of the most senior employees and that of other employees.

The policy is for the financial year 2013/14. Data on existing salaries, job roles and statistics contained within the statement are based on the year 2012/13.

The Secretary of State has produced guidance on the Act's provisions relating to openness and accountability in local pay, which local authorities must have regard to in preparing and approving their annual pay policy statements, and the Council's statement takes full account of this guidance to date as well as the provisions of the Act.

It also takes account of:

- The Code of Recommended Practice for Local Authorities on Data Transparency, issued by the Department for Communities and Local Government in September 2011;
- Guidance issued by the Joint National Council (JNC) for Local Authority Chief Executives on pay policy statements, published in November 2011;
- Employment and equalities legislation affecting local authority employers, where relevant.

To aid transparency, this policy also contains or refers to information which the Council is already required to publish under other legislation, i.e.

- Information on the actual level of remuneration paid to senior managers, as required by The Accounts and Audit (Amendment No. 2) (England) Regulations 2009;
- Policies on the exercise of its discretions over payments upon termination of employment under the Local Government Pension Scheme, as required by Regulation 66 of the Local Government Pension Scheme (Administration) Regulations 2008;
- Policies on the exercise of its discretions over payments upon termination of employment under the Local Government (Early Termination of Employment) (Discretionary Compensation) (England and Wales) Regulations 2006, as required by Regulation 7 of those regulations.

The Government's guidance on the Localism Act's pay provisions states that it is open to Councils to include in this Statement their policies on the remuneration of employees who are

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neither the most senior officers nor the lowest paid. Accordingly, this Policy Statement also gives details of:

- The policies applied to employees earning in excess of £58,200 as required by Code of Recommended Practice on Data Transparency 2011;
- Elements of remuneration which apply to all employees, regardless of their pay level, status or grading within the Council.

As such, this Statement draws together all the relevant existing policies and can therefore be seen as a comprehensive document covering all relevant aspects of pay and remuneration within the Council.

### **Status of policy statement**

In line with the requirements of the Localism Act, the Pay Policy Statement will need to be reviewed on an annual basis, with a new version approved before the start of each subsequent financial year, which will need to be complied with during that year.

The Pay Policy Statement can also be amended during the course of any financial year, but only by a resolution of the full Council. If it is amended during the year to which it relates, the revised version of the statement will be published as soon as reasonably possible after the amendment is approved by the Council.

### **Transparency and autonomy**

It is important to recognise that, whilst producing national legislation relating to their pay policies, the Government also explicitly recognises that each local authority remains an individual employer in its own right, and, as such, has the autonomy to make decisions on pay that are appropriate to local circumstances and deliver value for money for local taxpayers.

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## **SECTION 1: REMUNERATION OF STATUTORY AND NON-STATUTORY DIRECTORS, CHIEF OFFICERS, MONITORING OFFICER AND OTHER SENIOR POSTS**

### **1.1 REMUNERATION COVERED IN THIS SECTION OF THE POLICY**

This section covers the Council's policies in relation to the remuneration of its senior employees, including:

- Its Chief Executive;
- Its Directors who report to and are directly accountable to the Chief Executive – this includes both statutory and non-statutory Directors;
- Its Chief Officers, who report to and are directly accountable to Directors;
- Its Section 151 Officer (the Borough Treasurer), who is also a Chief Officer and remunerated as such;
- Its Monitoring Officer (the Borough Solicitor, who is the officer responsible for ensuring the Council's compliance with the law in all its activities) is also a Chief Officer and is remunerated as such.
- Other senior employees earning in excess of £58,200 pa (including basic pay and any Market Premia).

### **1.2 CONTEXT**

These senior employees are responsible for working with elected politicians to determine the overall strategic direction of the Council, to develop the scale, nature, efficiency and effectiveness of all the services provided by the Council, and to provide day-to-day leadership and management of those services.

In relation to other organisations in all sectors across the UK, the Council is a large, complex organisation providing a very diverse range of services. Many of those services are vital to the wellbeing of individuals and groups of residents in the local community and are delivered in very challenging circumstances, taking account of levels of need and the availability of resources to meet them.

The Council's senior employees are responsible for:

- 3890 employees (equivalent to 2826 full-time equivalent (FTE) employees). These numbers are as at 1 April 2012.
  - Services to 113,200 residents within the local community.
  - Total Gross Expenditure of £249million, which was the Council's Total Gross Output Expenditure in 2011/12.
  - The following services to the local community:
    - Adult social services
    - Children and families social services
    - Countryside and open space management and maintenance
    - Education and schools
    - Elections and local democracy
    - Environmental and public health, including pest control
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- Environmental Services, including refuse collection, recycling, street cleaning and waste disposal
  - Housing
  - Housing and Council tax benefits
  - Leisure and Arts provision
  - Libraries
  - Planning
  - Economic development
  - Roads, transport, street lighting and car parking
  - Trading Standards and Licensing
  - Youth and Community Services
  - Regeneration
  - Community Safety
- The following facilities:
    - 39 schools (including a Pupil Referral Unit)
    - 2 residential care homes and one respite centre
    - 2 day centres (one for older people, one for those with learning disabilities)
    - 4 Children's Centres
    - 12 Community Centres
    - 9 libraries
    - 5 leisure centres
    - 83 park sites and 50 miles of public rights of way
    - 18 play areas, plus skate parks, tennis courts, soccer pitches, a baseball diamond and a sports pavilion
- The Council:
    - Is responsible for the education of around 15,700 children
    - Deals with around 1,140 planning applications per year
    - Maintains around 285 miles of roads
    - Manages and maintains 244 hectares of open space
    - Is responsible for 97 looked-after children
    - Licences 260 local pubs and clubs and 682 taxis

The Council has to compete with other employers in the area (and, in many cases, in the country) to recruit and retain managers who are capable of meeting the challenges of delivering this diverse range of services to the required standards. This has an important bearing on the levels of remuneration it offers which has been kept under review on a regular basis by the Employment Committee. At the same time, the Council is under an obligation to secure the best value for money for its residents and tax-payers in taking decisions on pay levels. In recent years the Employment Committee has sought to strike a fair balance between these competing pressures.

In a report on senior pay in the public sector commissioned by the government in 2011, Will Hutton concluded that "Chief Executive Officers of [private sector] companies with a turnover of between £101million and £300 million earn more than twice their public sector counterparts." He also observed that "The sharp increase in executive pay over the last decade, and the wider trend of growing income inequality, has been largely a private sector phenomenon".

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### 1.3 RESPONSIBILITIES OF SENIOR ROLES

To give further contextual information for remuneration levels, the main accountabilities of the Chief Executive and Directors are set out below.

- **Chief Executive**

The Chief Executive is the Council's most senior employee who leads and takes responsibility for the work of the Council. It is a full time appointment and post holders are selected on merit, against objective criteria, following public advertisement.

The role of Chief Executive is complex with ultimate responsibility for managing expenditure of £249m of public funds, serving around 48,100 households and 113,200 people in the Council's area.

As head of the paid service of the Council's employed staff, the Chief Executive is a non-political post. Whilst the elected councillors provide the policies, Council paid employees put them into practice. The Chief Executive is responsible to and accountable to, the Leader of the Council, the Executive and the whole Council in delivering their political and policy objectives.

The Chief Executive works closely with elected councillors to deliver:

**Leadership:** to ensure strong and visible leadership and direction, encouraging and enabling managers to motivate and inspire their teams;

**Strategic direction:** ensuring all staff understand and adhere to the strategic aims of the organisation and follow the direction set by elected councillors;

**Policy advice:** acting as the principal policy adviser to the elected councillors to lead the development of workable strategies which will deliver the political objectives set;

**Partnerships:** leading and developing strong partnerships across the local community to achieve improved outcomes and better public services for local people;

**Operational Management:** overseeing financial and performance management, risk management, people management and change management within the Council.

The Chief Executive also has a unit (The Chief Executive's Office) under the direct control of the Assistant Chief Executive, which deals with Communications and Marketing, Economic Development, Performance and improvement, Overview and Scrutiny, Crime and Disorder reduction, Regeneration, and the local area agreement.

Staff under indirect management responsibility: 3890

- **Director – Adult Social Care, Health and Housing**

This post has a statutory role and is responsible and accountable for assessing local needs and ensuring the availability and delivery of a full range of adult social services, often interfacing with Health bodies.

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The directorate provides advice and information about the range of services that may be available to support individuals or families. In carrying out assessments for people they will determine any support that can be provided. If people are not eligible, the department can give them information about other ways of accessing services and organisations where they could go to get help. There is joint work with Children's Services on making the transition to adult life.

The focus of support is to enable people to maximise their ability and retain their independence, which will mean people can stay in their own homes for as long as possible. Support may be needed for a crisis or a longer period, and the directorate will generally provide this. Depending on assessed needs, a range of services could be provided in partnership with other organisations to meet the social care needs of adults and older people. Services include home support, day care opportunities, meals services, the provision of equipment for daily living and residential and nursing care.

The post is also responsible for ensuring the provision of Housing Advice and Homelessness Prevention as well as the provision of Housing and Council Tax Benefits.

As from April 2013 the department will assume responsibility for Public Health functions.

Its duties include specific support for the following areas for individuals and/or their families:

- Older people
- People with a learning disability
- People with mental health needs
- People who misuse substances
- People with long term conditions
- Carers
- Housing advice
- Homelessness
- Housing and Council Tax Benefits Administration
- Forestcare Community Alarm and Out of hours service.
- People affected by HIV/Aids

Budget responsibility: £23.6 million per annum

Staff under direct or indirect line management responsibility: 360

- ***Director – Children, Young People and Learning***

This post has a statutory role and is responsible and accountable for education services and the full range of children's services in the Council's area, and aims to ensure that children and young people achieve the best possible outcomes for their lives through education, advice and guidance, access to support and where necessary specialist placements.

**Children's Social Care**

Working with partner agencies, it provides the help, support and advice needed by the most vulnerable children and their families, including children in need of protection, looked after children and young offenders.

- Assessment service for new referrals
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- Continuing Social Work support for particular children and their families
- The Family Placement Service, to support fostering and adoption
- The Youth Offending Service, to prevent and manage youth offending
- A short break unit, for children with disabilities
- Education Support for Looked After Children
- Family Intervention Project
- Domestic Abuse Perpetrator Service

### **Learning & Achievement**

- School Advisory Team, offering advice, support and INSET training to schools
- Lifelong Learning Team, managing family and adult learning provision
- School Governor Services
- Statutory SEN Services
- Targeted Services including the Education Welfare Service
- Pupil referral service (including the Pupil Referral Unit)
- Education Psychology
- Education Centre
- Pan LA services including School Library Service, South East Grid for Learning

### **Strategy, Resources and Early Intervention**

- Finance (including schools DSG)
- Human Resources
- Schools Admissions
- Schools Property
- Schools Administrative Support and ICT
- Performance Management
- Governance – IRO; IC; Complaints
- Early Years including PVI sector
- Children's Centres
- Troubled Families
- Construction Category management
- Youth Service.

Budget responsibility: £12.8 million per annum (not including schools, £75m)

Staff under direct or indirect line management responsibility: 2726 (including schools).

- ***Director – Environment, Culture and Communities***

This post is responsible and accountable for the strategic planning and delivery of services to ensure Bracknell Forest is a clean, safe, healthy and attractive place to live. The directorate targets its services to meet the high standards residents, local businesses and visitors expect. Some of these services are delivered directly, others in partnership with the voluntary and charitable sectors and some through contracts with private companies. The directorate operates with 4 service divisions and one support division, and includes:

- Town and country planning
  - Parks and countryside management,
  - Leisure
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- Libraries
- Environmental health and licensing,
- Emergency planning,
- Engineering,
- Trading standards,
- Refuse collection and street cleansing
- Recycling,
- Public parking.

Budget responsibility: £24.9 million per annum

Staff under direct or indirect line management responsibility: 572.

- ***Director - Corporate Resources***

This post is responsible and accountable for eight separate sections - Finance, Information and Communication Technology, Legal Services, Human Resources, Democratic and Registration Services, Corporate Property, Customer Services and Community Engagement and Equalities.

A wide range of functions and activities are carried out within each of these sections, but falling into three main categories:

- Direct public services (e.g. customer services, revenue collection, electoral registration)
- Core management responsibilities (setting standards and ensuring that the organisation functions legally within a robust financial framework, acts as a good employer and promotes equality and community cohesion)
- Support to service departments (providing advice and support to front line departments on a wide range of issues and projects, such as HR, Legal, ICT and Property)

The directorate is responsible for the strategic planning and operational delivery of services including:

- Finance,
- Revenues and payments,
- Council Tax,
- Customer services
- Legal services
- Democratic management
- Corporate ICT
- Corporate HR
- Community engagement and equalities

The Director of Corporate Services also acts as Statutory Overview & Scrutiny Officer and Deputy Chief Executive, and leads on key projects such as Civic Accommodation and Job Evaluation.

Budget responsibility: £15.3 million per annum



## 1.4 OVERALL POLICY ON REMUNERATION FOR SENIOR ROLES

The Council's overall approach to remuneration for its senior employees is based on:

Compliance with equal pay, discrimination and other relevant employment legislation, plus recognition of the demanding nature of the challenges which the Council faces, and the requirement to offer competitive remuneration in relation to the rest of the local government and public sectors, in order to secure the most talented managers. This means that, on the advice of the Employment Committee, the Council has always taken account of

- pay levels in the local area, including neighbouring public sector employers;
- the relative cost of living in the local area, particularly housing costs;
- the responsibilities and accountabilities of particular posts which may be exceptionally demanding.

The Council seeks to maintain this overall approach by carefully monitoring pay data provided by the Joint National Councils (JNCs) for Chief Officers and Chief Executives, the Local Government Association/Employers, and other relevant pay surveys. In recognition of the economic situation, the Council has not increased the salary of the Chief Executive, the Directors and Chief Officers since 2008.

In terms of pay differentials, the Council recognises that the role of Chief Executive leads the organisation's workforce and has the greatest level of accountability, and so warrants the highest pay level in the organisation.

At Director level:

- The Council recognises that all its Directors have a collective and corporate responsibility for contributing to and delivering the overall strategy of the organisation, and therefore offers the same level of remuneration (the same incremental grade) to all Directors. The Director of Corporate Services receives an additional 2.5% as the Deputy Chief Executive, rising to 10% during any longer period of at least four weeks where, in his absence, she is acting as Chief Executive.

At Chief Officer level:

- The Council recognises that certain roles are more demanding than others, and has identified those with a greater level of accountability through job evaluation, (which provides a careful analysis of job demands) and offers them higher remuneration than other Chief Officer posts. Evaluation is based upon the Hay system and evaluations are carried out independently by the Hay Group.

Below Chief Officer level, the Council recognises that the demands on and accountabilities of different management roles vary considerably, and seeks to align pay levels with the relative importance and responsibilities of jobs, using a process of job evaluation, and including Market Premia where applicable to match certain posts with the market rate for similar jobs. There are, additionally, some posts which are on other national payscales such as the teaching payscales or Soulbury conditions. Some of the posts below Chief Officer level are specifically listed later

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in this report as earning more than £58,200 pa because they either receive a Market Premia payment or are subject to other national payscales.

## **1.5 SPECIFIC REMUNERATION OFFERED TO SENIOR EMPLOYEES**

At Chief Executive, Director and Chief Officer level, the Council offers only an annual salary and access to the Local Government Pension Scheme. No other cash benefits or benefits in kind are offered - except any benefits purchased by the employee under the Council's Flexible Benefits scheme under which all employees may purchase benefits from a range offered to all staff. The only one of these benefits which gives an opportunity to increase income is the selling of annual leave, which is available to most employees but not to those at Chief Officer level and above (see section 4). The Council does not offer performance related payments or bonuses to its senior employees.

Geographical/location allowance (local weighting) is not payable to the Chief Executive, Directors or Chief Officers.

The Chief Executive, Directors and Chief Officers are not eligible to participate in the Council's flexible leave scheme whereby employees are able to "buy and sell" annual leave within certain parameters (See section 4, below).

Mobile phones/devices are provided to the Chief Executive/Chief Officers/other senior managers on the basis that they are necessary to undertake their duties effectively, and it is a condition of their contracts that they are on an emergency rota requiring them to be issued with a mobile phone/device. The Council funds the provision of the phone and business calls. Employees are required to pay for personal calls (see page 20). (It is intended that all employees working flexibly will be issued with a mobile phone as part of the roll out of the new flexible working/town centre accommodation plan.)

### **Annual salaries:**

Annual salary levels for senior employees are fixed in accordance with the overall principles set out in section 1.4. At Chief Executive, Director and Chief Officer level and for other senior managers, they consist of a grade range which is determined locally by the Council. This grade range consists of a number of incremental salary points, through which employees may progress until the top of the grade is reached.

### **Remuneration of senior employees on recruitment**

The Council's policy is that any newly appointed senior employee will normally commence employment at the lowest pay point in the pay range for their job, other than when taking account of the successful applicant's current salary and the market requirements. Any decision to appoint a senior employee on a higher pay point within the relevant pay range would be made by the Appointments Committee.

### **Pay progression**

Pay progression within a specific grade is normally by annual increment, payable from 1 April, until the employee reaches the top pay point of their grade.

- Pay progression is based on the period of time the employee has served in that grade, subject to satisfactory performance.
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- Senior employees who are considered to have demonstrated exceptional performance may receive accelerated incremental progression within the grade at the discretion of the Chief Executive or relevant Director or, in the case of the Chief Executive, at the discretion of the Leader of the Council.

### **Pay awards**

- The salaries of senior employees are reviewed annually in line with any pay award agreed in the Joint National Councils (JNCs) for Chief Executives/Chief Officers, the National Joint Council (NJC) for Local Government Services, or Soulbury, as appropriate for the contracts of the senior managers.
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## **Bonuses**

- The Council does not pay bonuses to any of its employees.

## **Local Government Pension Scheme (LGPS)**

The Council offers all its senior employees access to the Local Government Pension Scheme, in accordance with the statutory provisions of the scheme, on exactly the same basis as all of its employees. Any pension payments made to its senior employees on termination of employment either on grounds of redundancy, in the interests of the efficiency of the service or on grounds of ill health are made within the statutory terms of the LGPS.

- The employer's contribution rate for senior employees who join the scheme is the same as for all other employees, as set out in Section 4 "**POLICIES COMMON TO ALL EMPLOYEES**"
- The discretions which the Council is able to apply under the scheme upon termination of employment are the same for senior employees as for all other employees who are LGPS members and are set out in Section 4 "**POLICIES COMMON TO ALL EMPLOYEES**".

## **Payments on Termination of Employment**

Other than payments made under the LGPS, the Council's payments to managers whose employment is terminated on grounds of redundancy or in the interests of the efficiency of the service will be in accordance with the policy the Council has adopted for all its employees in relation to the Local Government (Early Termination of Employment) (Discretionary Compensation) (England and Wales) Regulations 2006, as set out in Section 4 "**POLICIES COMMON TO ALL EMPLOYEES**".

Other than payments pursuant to the LGPS (including the exercise of the Council's discretions) or payments in accordance with the Council's policies under the Local Government (Early Termination of Employment) (Discretionary Compensation) (England and Wales) Regulations 2006, the Council's policy is not to make any other termination payments to its senior employees. The only exception to this, which is very rarely used, is where it has received specific legal advice to the effect that a payment is appropriate to settle proceedings in an Employment Tribunal or court of law, or may be required to eliminate risk of claims against the Council.

## ***Election fees***

Election fees are paid separately. Returning Officer fees for national elections are set by central government. Local election fees are paid in accordance with a scale of fees which is based on national election rates and agreed locally. The Chief Executive voluntarily shares election fees equally with the Deputy Returning Officer. In 2011/12 the Chief Executive was paid £6356 in election/referendum fees.

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## 1.6 RE-ENGAGEMENT OF CHIEF OFFICERS

### **Re-engagement of Chief Executives, Directors and Chief Officers who have left Bracknell Forest Council with a severance or termination payment**

#### ***Re-engagement as employees***

(1) Subject to any relevant provisions in employment and equalities legislation, the Council's policy is not to re-employ *in any capacity* any former Chief Executive, Director or Chief Officer who was in receipt of a severance or termination payment for any reason other than compulsory redundancy, for a period of three years from the date of termination of employment.

(2) Where a Chief Executive, Director or Chief Officer's employment has been terminated compulsorily on grounds of redundancy, they will not be re-employed *in the same or a similar post* for a period of three years following the date of termination of employment. If they are re-employed in another post within four weeks after the effective date of redundancy, they will lose their right to a redundancy payment, including any enhancements under the provisions of the LGPS or the Local Government (Early Termination of Employment) (Discretionary Compensation) (England and Wales) Regulations 2006. Any re-employment will be subject to the Council following the strict application of the normal process of competitive selection for employment.

(3) Any former Chief Executive, Director or Chief Officer who is employed by the Council who has previously received a severance, termination or redundancy payment from this or any other Council or related body will not have previous service counted when determining any further entitlements to notice periods, sickness payments, annual leave or other benefits/entitlements based on continuous service.

#### ***Re-engagement under a contract for services***

The Council's policy is not to re-engage under a contract for services any former Chief Executive, Director or Chief Officer who left the Council for any reason and was in receipt of a redundancy, severance or termination payment, for a period of three years from the cessation of employment.

#### ***Policy variation***

This re-engagement policy may be varied only in exceptional circumstances and then subject to the agreement of the Employment Committee.

#### **Employment of those in receipt of an LGPS pension**

##### ***General:***

Policy is set out in Section 4 **POLICIES COMMON TO ALL EMPLOYEES**.

##### ***Flexible retirement:***

The LGPS regulations permit the Council to offer flexible retirement to employees (including Chief Executive, Directors and Chief Officers) aged 55 or over, so that they can reduce their

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hours of work, and receive a pension in respect of the proportion of full-time hours they are no longer required to work. This policy is set out in Section 4 **POLICIES COMMON TO ALL EMPLOYEES.**

### 1.7 PUBLICATION OF DETAILS OF EMPLOYEE REMUNERATION

In accordance with 39 (5) of the Localism Act, this policy will be published on the Council's website.

The Council is also required to publish information about the remuneration of senior officers under The Accounts and Audit (Amendment No. 2) (England) Regulations 2009, and the Code of Recommended Practice for Local Authorities on Data Transparency, issued under Section 2 of the Local Government Planning and Land Act 1980.

For ease of reference, remuneration data for posts identified under these Regulations is set out below, individual annual salaries can be found on the Council's website.

CHIEF EXECUTIVE	144,764 – 156,638
DIRECTOR OF CORPORATE SERVICES	104,348 – 112,890 plus 2,822 as Deputy CE
DIRECTOR - CHILDREN, YOUNG PEOPLE & LEARNING	104,348 – 112,890
DIRECTOR - ADULT SOCIAL CARE, HEALTH & HOUSING	104,348 – 112,890
DIRECTOR - ENVIRONMENT, CULTURE & COMMUNITIES	104,348 – 112,890
BOROUGH TREASURER AND SECTION 151 OFFICER	89,149 – 94,565
BOROUGH SOLICITOR AND MONITORING OFFICER	84,037 - 89,149
CHIEF OFFICER: CHILDREN'S SOCIAL CARE	84,037 – 89,149
CHIEF OFFICER: ENVIRONMENT & PUBLIC PROTECTION	84,037 – 89,149
ASSISTANT CHIEF EXECUTIVE	79,225 - 84,037
CHIEF OFFICER: INFORMATION SERVICES	79,225 - 84,037
CHIEF OFFICER: HUMAN RESOURCES	79,225 - 84,037
CHIEF OFFICER: PROPERTY	79,225 - 84,037
CHIEF OFFICER: PERFORMANCE & RESOURCES (CHILDREN, YOUNG PEOPLE AND LEARNING)	79,225 - 84,037
CHIEF OFFICER: LEISURE & CULTURE	79,225 - 84,037
CHIEF OFFICER: PLANNING & TRANSPORT	79,225 - 84,037
CHIEF OFFICER: OLDER PEOPLE & LONG TERM CONDITIONS	73,224 – 79,225
CHIEF OFFICER: ADULTS & JOINT COMMISSIONING	73,224 – 79,225
CHIEF OFFICER: HOUSING	73,224 – 79,225
CHIEF OFFICER: CUSTOMER SERVICES	66,231 – 71,813
CHIEF OFFICER: PERFORMANCE & RESOURCES (ADULT SOCIAL CARE AND HEALTH)	66,231 – 71,813

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CHIEF ADVISER: LEARNING & ACHIEVEMENT	75,435 – 86,365
SENIOR ADVISER	55,382 – 64,657*
SEGFL PROJECT MANAGER	55,382 – 64,657
SENIOR ADVISER	55,382 – 64,657
HEAD OF PERFORMANCE AND RESOURCES (ENVIRONMENT, CULTURE & COMMUNITIES)	58,633 – 63,996
CHIEF ACCOUNTANT (CORPORATE SERVICES)	60,551 – 65,686
CHIEF TECHNICAL ACCOUNTANT (CORPORATE SERVICES)	60,551 – 65,686
HEAD OF AUDIT AND RISK MANAGEMENT (CORPORATE SERVICES)	55,444 – 59,519
SENIOR ADVISER	59,513 – 69,451
HEAD OF DEPARTMENTAL FINANCE (ENVIRONMENT, CULTURE & COMMUNITIES)	60,551 – 65,686
HEAD OF DEPARTMENTAL FINANCE (CHILDREN, YOUNG PEOPLE AND LEARNING)	60,551 – 65,686

\*FTE salary given – postholder is part time

Figures as at 1 April 2012 and are inclusive of local weighting and/or market premia where payable



## **SECTION 2: REMUNERATION OF LOWEST PAID EMPLOYEES**

This section sets out the Council's policies in relation to the remuneration of its lowest-paid employees, as defined in this Pay Policy Statement.

### **2.1 ORGANISATIONAL CONTEXT**

The Council considers it is important that its policy with regard to the remuneration of its lowest paid employees is seen within the broader organisational context, in particular the range and diversity of services for which it is responsible, either directly or indirectly, the number of residents within the local community, the level of its financial responsibilities and the numbers of staff directly employed.

### **2.2 OVERALL REMUNERATION POLICY: LOWEST PAID EMPLOYEES**

#### **Aims, Objectives and Key Principles**

The Council aims to develop, implement and maintain fair and equitable remuneration arrangements which enable it to recruit, retain, motivate and develop staff with the skills and capabilities necessary to ensure the continued provision of high quality services and which are cost effective and provide value for money.

The Council's remuneration policy complies with all equal pay, discrimination and other relevant employment legislation.

When setting pay levels for specific posts the Council takes account of both internal differentials, as measured by job evaluation, and external relativities, as measured against the relevant employment market. The Council aims to ensure its pay rates for specific posts are set at a level which enable it to recruit and retain staff with the appropriate knowledge, skills and capabilities necessary for the particular role.

### **2.3 DEFINITION OF LOWEST PAID EMPLOYEES**

The definition of the "lowest-paid employees" adopted by the Council for the purposes of this statement is as follows:

The lowest paid employees within the Council paid on the Council's lowest hourly pay rate.

The current annual full-time equivalent value of this pay level, based on a 37 hour standard working week and including local weighting, for the financial year 2012/13 was £12,700.

This is the most appropriate definition as this is the lowest pay point on the Council's substantive pay structure, and having regard to guidance issued by the Local Government Association and JNC for Local Authority Chief Executives.

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## **2.4 REMUNERATION OF LOWEST PAID EMPLOYEES**

### **Pay structure**

The Council's lowest paid employees are on a grade range derived from the national pay spine, as set out in the National Joint Council for Local Government Services National Agreement on Pay and Conditions of Service. This grade range consists of a number of incremental salary points through which employees may progress until the top of the grade is reached.

### **Pay Progression**

Pay progression is normally by annual increment, payable from 1 April.

Pay progression is based on the period of time the employee has served in that grade, subject to satisfactory performance. Directors may accelerate incremental progression within the grade for employees who are considered to have demonstrated exceptional performance.

### **Annual Pay Review**

The basic pay of the Council's lowest paid employees is reviewed annually at a national level, with any cost-of-living, or other, increase normally applied on 1 April in each year.

Any increase will normally be applied in accordance with that agreed by the National Joint Council for Local Government Services.

### **Pension provision**

The Council's lowest paid employees may participate in the Local Government Pension Scheme in accordance with the statutory terms of that scheme.

Contributions are made to this scheme in respect of each participating employee as set out in Section 4, **Policies Common to all Employees**.

Any increases in or enhancements to the pension entitlement of the Council's lowest paid employees would be made in accordance with the discretions available to it under the statutory provisions of the Local Government Pension Scheme, as exercised by the Council and set out in the relevant policy statement (see Section 4 of this Pay Policy Statement, **Policies Common to all Employees**).

### **Termination or Severance Payments**

Any termination or severance payments made by the Council to its lowest paid employees, either on grounds of redundancy, in the interests of the efficiency of the service or on grounds of permanent ill-health, will be made in accordance with the statutory terms of the Local Government Pension Scheme, as applicable, and/or in accordance with the discretions available to it under that Scheme or under the Local Government (Early Termination of Employment) (Discretionary Compensation) (England and Wales) Regulations 2006, as set out in the relevant policy statement (see Section 4 of this Pay Policy Statement, **Policies Common to all Employees**).

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Other than payments pursuant to the LGPS (including the exercise of the Council's discretions) or payments in accordance with the Council's policies under the Local Government (Early Termination of Employment) (Discretionary Compensation) (England and Wales) Regulations 2006, the Council's policy is not to make any other termination or severance payments to its lowest paid employees, other than where it has received specific legal advice to the effect that a payment may be necessary to eliminate risk of claims against the Council.

#### **Other elements of remuneration**

The other elements of remuneration which it is the Council's policy to offer to its lowest paid employees (where applicable) are listed below and are as set out in section 4, "Policies common to all employees":

***Recruitment/retention payments***

***Reimbursement of removal/relocation costs/mortgage subsidy on appointment***

***Geographical/location allowance (local weighting)***

***Car allowances/mileage rates***

***Payment of professional subscriptions or membership fees***

***Subsistence or other expenses allowance***

***Provision of mobile telephones/personal devices***

***Honorarium/acting up/additional responsibility payments***

***Payment for reduced leave entitlement***

***Discounted loans***

In addition, the Council's lowest paid employees may have access to the following payments where their patterns of work make them appropriate:

#### ***Working arrangements***

Employees on national conditions who are required to work beyond the Council's normal full-time equivalent working week of 37 hours and/or work other non-standard working patterns, as listed below, will receive payment in accordance with the provisions of the National Joint Council for Local Government Services National Agreement on Pay and Conditions of Service for:

- Additional hours;
  - Saturday and Sunday working;
  - Night work;
  - Public and Extra Statutory holidays;
  - Sleeping-in duty.
-

Employees on local conditions who are required to work beyond their normal full-time equivalent working week of 37 hours and/or work other non-standard working patterns, as listed below, will receive payment as below.

- Additional hours (Leisure plain time, or in Grounds Maintenance as NJC)
- Saturday and Sunday working (Leisure plain time, or in Grounds Maintenance as NJC)
- Public and Extra Statutory holidays

### ***Standby and/or call-out payments***

Employees who are required to be on standby at times which are outside their normal working week and/or who may be called-out to attend to an issue at the Council's premises or other location may receive an additional payment in accordance with the provisions of the relevant Council policy.

## **2.5 OTHER TERMS AND CONDITIONS**

The other terms and conditions which apply to the Council's lowest paid employees are as set out in the National Joint Council for Local Government Services National Agreement on Pay and Conditions of Service, as amended and/or supplemented by any local agreements which may apply.

## **2.6 REMUNERATION OF EMPLOYEES WHO ARE PAID MORE THAN THE LOWEST PAID EMPLOYEES BUT WHO ARE NOT CHIEF OFFICERS**

The Council's policy and practice with regard to the remuneration of employees who are paid more than its lowest paid employees but who are not Chief Officers is the same as that which applies to its lowest paid employees, other than where any differences are indicated in this policy statement. Some specific groups of employees are paid on nationally determined Soulbury Conditions or Youth and Community Conditions.

## **2.7 EMPLOYEES WHO ARE PAID LESS THAN THE COUNCIL'S LOWEST PAID EMPLOYEES, AS DEFINED IN THIS PAY POLICY STATEMENT**

The following categories of employees *may* be paid less than the Council's lowest paid employees, as defined in this Pay Policy Statement:

Trainees/apprentices;  
Temporary workers  
Casual workers.

The Council may apply a lower pay rate and/or different remuneration arrangements to these categories of employees, which reflects the particular nature and/or duration/frequency of their employment.

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### SECTION 3: PAY RELATIONSHIPS

This section sets out the Council's overall approach to ensuring pay levels are fairly and appropriately dispersed across the organisation, including the current pay multiples which apply, and its policy toward maintaining acceptable pay multiples in the future.

The Council believes that the principle of fair pay is important to the provision of high quality and well-managed services and is committed to ensuring fairness and equity in its remuneration practices. The Council's pay policies, processes and procedures are designed to ensure that pay levels are appropriately aligned with and properly reflect the relative demands and responsibilities of each post and the knowledge, skills and capabilities necessary to ensure they are undertaken to the required standard, as well as taking account of relevant market considerations. This includes ensuring that there is an appropriate relationship between the pay levels of its senior officers, as defined in this Pay Policy Statement, and of all other employees.

The Council has adopted a number of policies and practices to ensure fairness in the overall pay relativities within the Authority. These include:

- Using an analytical job evaluation scheme to determine the grading of all posts below Chief Officer level.
- Jobs at Chief Officer level and above are also subject to measurement using a separate job evaluation scheme.
- Applying a clear and objective methodology for evaluating all new and changed jobs to ensure they are properly graded and that pay levels properly reflect their level of responsibility;
- Establishing a defined procedure for employees who wish to request a review of their job grade or who wish to appeal against their grading outcome;
- Providing for additional payments and allowances, with clearly defined eligibility criteria, to recognise and reward any working arrangements or requirements not reflected in basic pay levels;
- Undertaking corporate monitoring of the application of pay progression arrangements to ensure these are applied and operated on a fair and consistent basis across the organisation;
- Reviewing the roles and responsibilities of individual posts on a regular basis, for example, as part of the annual appraisal process, when a vacancy arises, as part of any organisational restructuring;
- Undertaking an equal pay audit at intervals, investigating and addressing the outcomes, as appropriate

Under the provisions of the Code of Recommended Practice for Local Authorities on Data Transparency, issued by the Department for Communities and Local Government under Section 2 of the Local Government Planning and Land Act 1980, the Council is required to publish its "pay multiple", i.e. the ratio between the highest paid salary and median full time equivalent salary of the whole of the local authority's workforce. The current pay multiple, based on full time equivalent earnings in the financial year ending 31 March 2012 including base salary, overtime pay and any lump sum car allowances is 6.9. (Last year's multiple was also 6.9).

The median salary is the salary value at which 50% of the full time equivalent salaries which apply to the whole of the Council's workforce are below that salary value and 50% are above it.

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The lowest pay point in the overall salary range which has been used by the Council in calculating the median salary is that which applies to its lowest paid employees, as defined in section 2 of this Pay Policy Statement.

If the mean salary is used in the above calculations instead of the median, the pay multiple is 6.1. (Last year's multiple based on mean was 6.2).

The Council considers that the current pay multiple, as identified above, represents an appropriate, fair and equitable internal pay relationship between the highest salary and that which applies to the rest of the workforce and has adopted the following actions to ensure an acceptable level is maintained:

Periodic benchmarking against the market rate for the Chief Executive will continue to take place and changes such as job evaluation outcomes may impact on the median payment levels; both of these may affect the pay multiple. However the multiple will be reviewed annually by means of this document to ensure it remains acceptable.

#### **SECTION 4: POLICIES COMMON TO ALL EMPLOYEES**

The following elements of remuneration are determined by corporate policies or arrangements which apply to all permanent employees of the Council (including its Chief Executive, Chief Officers and Deputy Chief Officers), regardless of their pay level, status or grading within the Council:

##### ***Contracts of Employment***

It is the Council's policy to engage all of its permanent employees on standard contracts of employment and to apply Pay As You Earn taxation arrangements to all remuneration under those contracts in accordance with Her Majesty's Revenue and Customs rules.

##### ***Access to Local Government Pension Scheme***

The Council offers all its employees access to the Local Government Pension Scheme in accordance with the statutory provisions of the scheme (except where the Teachers Pension Scheme applies). The employers' contribution rate for employees who join the scheme is currently 13% of salary for all employees. The employee contribution rate ranges from 5.5% to 7.5% dependent on salary. This year there are new rules on who is eligible to join the LGPS which mean that all employees, including casuals and those on very short term contracts, have a right to be in the scheme.

##### ***Local Government Pension Scheme (LGPS) - discretions on termination of employment***

Any termination or severance payments made by the Council to all its employees, either on grounds of redundancy, in the interests of the efficiency of the service or on grounds of permanent ill-health, will be made in accordance with the statutory terms of the Local Government Pension Scheme, as applicable, and/or in accordance with the discretions available to it under that Scheme.

The Council's policies on the exercise of these discretions under the LGPS are set out in the policies it has published under the requirements of Regulation 66 of the Local Government Pension Scheme (Administration) Regulations 2008. These are shown in Appendix A.

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### ***Payments on Termination of Employment***

Other than payments made under the LGPS, the Council's payments to any employee whose employment is terminated on grounds of redundancy or in the interests of the efficiency of the service will be in accordance with the policy the Council has adopted for all its employees in relation to the Local Government (Early Termination of Employment) (Discretionary Compensation) (England and Wales) Regulations 2006. This policy has been published in accordance with the requirements of Regulation 7 of these regulations and, in summary, is:

- Actual weekly pay is used in all redundancy calculations
- Those with immediate access to pension are paid in accordance with the statutory number of weeks' pay
- Those with no immediate access to pension are paid 1.75 times the statutory number of weeks' pay.

### ***Employment of those in receipt of an LGPS pension***

Where the Council employs any person who is in receipt of a pension under the LGPS, the rules on abatement of pensions adopted by the Council's Administering Authority for the LGPS, pursuant to Regulations 70 and 71 of the the Local Government Pension Scheme (Administration) Regulations 2008 will apply. These currently provide that no abatement will be applied to those in receipt of a Pension upon returning to Local Government Employment with Bracknell Forest Council. However, in the unusual event that an employee had received compensatory added years, those added years could be affected and taken back on a day for day basis.

### ***Flexible retirement***

The LGPS regulations permit the Council to offer flexible retirement to employees aged 55 or over, so that they can reduce their hours of work, and draw a pension in respect of the proportion of full-time hours they are no longer required to work. The Council uses this discretion in the same way for all employees. The Council will consider requests for flexible retirement on a case by case basis. Approval will be sought through the Employment Committee where all costs and business benefits will be made explicit before any decision is taken on whether to grant flexible retirement.

### ***Market Premia***

The job evaluation scheme does not recognise market pay rates when determining the grade for a job. If Directors identify market scarcity through difficulty with recruitment and/or a lack of success with advertising, they may discuss the need for a market premium with the CO: HR, who will, using pay surveys and research of the prevailing job market, suggest a level of supplement. The Employment Committee decide whether to authorise a market premia payment which is then periodically reviewed.

### ***Recruitment/retention payments***

Recruitment payments are a recruitment incentive which can be used for positions where there is a nation/regional/local shortage of qualified persons. They are used to induce an individual to take up employment within the Council and are in the form of a one-off lump sum. These are very infrequently used and are repayable on a sliding scale if the individual leaves within 3 years of appointment.

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Key staff retention payments are again infrequently used but may be given where it is important to retain the services of an employee to the end of a specific project. The period of tie in will not exceed three years and any lump sum payment will not be made if the employee leaves before the relevant date.

***Geographical/location allowance (local weighting)***

The Council applies London and Fringe Area Allowances in accordance with the provisions of and rates agreed by the National Joint Council for Local Government Services National Agreement on Pay and Conditions of Service, or Soulbury or Youth and Community Conditions as appropriate. There are certain employees whose pay is determined locally who do not receive this type of allowance, and it is therefore not payable to the Chief Executive, Directors or Chief Officers

***Reimbursement of removal/relocation costs on appointment***

The Relocation Scheme provides assistance to people moving house in order to take up an appointment with the Council. The scheme will not necessarily cover the full expenses of moving and is not intended to do so. The maximum amount payable under the relocation scheme is £8,000, plus mortgage subsidy where appropriate. The scheme does not apply to all advertised roles only to those where there is less likelihood of recruiting suitable staff locally.

***Honorarium or ex gratia payments/acting up/additional responsibility allowances***

The Council pays honoraria or *ex gratia* payments to employees only in accordance with its corporate scheme for such payments, and all such payments are made only with the express approval of the relevant Director. Where employees are required to “act-up” into a higher-graded post or take on additional responsibilities beyond those of their substantive post for a temporary/time-limited period, they may receive an additional payment. Merit payments are similar to honoraria payments but are generally paid as a “one off” sum. They can be for a variety of reasons including examination success or for a particularly demanding or meritorious piece of work.

***Car provision – employees using their own cars on Council business***

The Council compensates:

- Employees who are required to use their own car on Council business paying an Essential Car User payment of £963pa plus mileage at below the HMRC rate; and
- Employees who are otherwise authorised to use their own car on Council business by paying a casual user mileage rate based on the HMRC rate.

***Payment of professional subscriptions or membership fees***

The Council will pay one professional subscription or membership fee on behalf of any employee where the subscription or membership is appropriate to the duties of the post.

***Subsistence or other expenses allowance***

The Council reimburses expenditure on meals and overnight accommodation and any other expenses necessarily incurred by employees on Council business, in line with the Council's Expenses policy.

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***Car loans***

All employees have access to loans at a favourable rate of interest for the purchase of cars/bicycles or the purchase of season tickets for travel. The current car loan rate is 4%. There is no subsidy for these loans.

***Flexible benefits***

The Council offers a range of flexible benefits which enable employees to elect to buy certain benefits from their salary. The only part of the range which enables employees to increase their pay is a flexible leave scheme whereby employees are able to “buy and sell” annual leave within certain parameters. Under this scheme, employees may be able to receive a day’s additional pay for each day of leave they “sell” to the Council and agree to work. Chief Officers and above may not participate in this scheme, although they may elect to buy other flexible benefits in the range. The maximum number of days that can be sold is 5 (pro rata for those working less than 5 days per week.)

***Provision of mobile telephones and personal devices***

Mobile phones and personal devices are provided on the basis that they are necessary to undertake their duties effectively. The Council funds the provision of the phone and the cost of business calls. The use of these telephones for personal calls is discouraged but where they are made, employees are expected to reimburse the Council the full cost of those calls.

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## **SECTION 5: CONTRACTORS AND OTHER ORGANISATIONS WORKING FOR THE COUNCIL**

There may be occasions where the Council procures, commissions or contracts-out one or more of the services for which it is responsible. This section sets out the Council's approach to and policies on the pay policies of contractors, partners and other organisations who may undertake work for, or on behalf of, the Council.

The terms and conditions of employment by contractors of their workers are non-commercial matters, so we are required to procure without reference to them (S17 (1) and (5) LGA 1988).

Where any of the Council's services are contracted-out or re-tendered or where a previously outsourced service returns to the Council, any matters relating to the remuneration of the transferred employees will be managed, as appropriate, in accordance with the relevant provisions of the Transfer of Undertakings (Protection of Employment) Regulations 2006.

Any payments to agency workers who may undertake work for the Council will be made in accordance with the terms and conditions of the contract between the Council and the relevant agency provider, having due regard to the relevant provisions of the Agency Workers Regulations 2010 and any other relevant employment legislation.

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## **SECTION 6: DECISION MAKING ON PAY**

The Council recognises the importance of ensuring openness, transparency and high standards of corporate governance, with clear lines of accountability, in its pay decision-making processes and procedures. Any pay-related decisions must be capable of public scrutiny, be able to demonstrate proper and appropriate use of public funds and ensure value for money. The arrangements adopted by the Council are designed to reflect these requirements, as well as ensuring compliance with all relevant legislation and other statutory regulation.

The Council has agreed that the following roles and responsibilities with regard to decision-making in remuneration matters will apply within the Authority as follows:

Full Council: consideration and approval of the annual Pay Policy Statement, as required under the Localism Act 2011.

Employment Committee: responsible for decisions relating to changes to terms and conditions of employment other than those dictated by employment law/statute, including scrutiny of this statement.

The provisions of this Pay Policy Statement will apply to any determination made by the Council in the relevant financial year in relation to the remuneration or other terms and conditions of senior officers of the Authority and of its lowest paid employees, as defined in this statement, and other employees who are paid more than the lowest paid employees but who are not senior officers.

The Council will ensure that the provisions of this Pay Policy Statement are properly applied and fully complied with in making any such determination.

This Pay Policy Statement has been approved by full Council.

The full Council will approve the appointment or dismissal of the Chief Executive (Head of Paid Service) following the recommendation of such an appointment by a Committee or Sub-Committee of the Council, which will include at least one Member of the Executive.

For Director posts, unless otherwise directed by the Council, a Committee or Sub-Committee of the Council, the Council will appoint. The Committee or Sub-Committee will include at least one Member of the Executive.

For Chief Officer posts, the Chief Executive or his nominated representative, with the relevant Executive Member or members and the Leader of the Council, may determine whether any appointment to a Chief Officer post is to be made exclusively from the Council's existing officers. Where the Chief Executive or his or her nominated representative, determines that it is to be made from existing Officers, the appointment may be made by the Chief Executive or his/her representative. Where a recruitment process is undertaken involving external candidates, a Committee or Sub-Committee will be appointed to interview the shortlisted candidates and make the final appointment. That Committee or Sub Committee will include at least one member of the Executive.

The above arrangements ensure that the Council meets the requirement of the Localism Act that any proposal to offer a new appointment on terms and conditions which include a total remuneration package of £100,000 or more, including salary, bonuses, fees or allowances which would routinely be payable to the appointee and

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any benefits in kind to which the officer would be entitled as a result of their employment (but excluding employer's pension contributions), will be referred to the full Council for approval before any confirmed offer is made to a particular candidate.



## **SECTION 7: AMENDMENTS TO THIS PAY POLICY STATEMENT**

This Pay Policy Statement relates to the financial year 2013/14.

The Council may agree any amendments to this Pay Policy Statement during the financial year to which it relates in accordance with the decision-making arrangements set out in the introduction to this document.



## **SECTION 8: PUBLICATION OF AND ACCESS TO INFORMATION**

The Council will publish this Pay Policy Statement on its website as soon as is reasonably practicable after it has been approved by the Council. Any subsequent amendments to this Pay Policy Statement made during the financial year to which it relates will also be similarly published.

The information advised to be published by the Council in accordance with the requirements of the Code of Recommended Practice for Local Authorities on Data Transparency, issued by the Department for Communities and Local Government under Section 2 of the Local Government Planning and Land Act 1980, and in accordance with the requirements of the Accounts and Audit (Amendment No. 2) (England) Regulations 2009, as referred to in this Pay Policy Statement, is also available on its website.

The Council's policies in relation to the exercise of discretions under the Local Government (Early Termination of Employment) (Discretionary Compensation) (England and Wales) Regulations 2006 and under the Local Government Pension Scheme (Benefits, Membership and Contributions) Regulations 2007, are set out in this policy statement.

For further information about this Pay Policy Statement, please contact the Council as follows:

Chief Officer: HR, [tony.madden@bracknell-forest.gov.uk](mailto:tony.madden@bracknell-forest.gov.uk) telephone 01344 352049.

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Employer's Policy Statement (0609)

**EMPLOYER DISCRETIONS – STATEMENT OF POLICY**

**LOCAL GOVERNMENT PENSION SCHEME REGULATIONS 2007 (as amended)**

The employer known as Bracknell Forest Borough Council has prepared this written statement of policy in relation to its exercise of certain discretionary functions available under the above regulations.

**PART A – Formulation of policy in accordance with Regulation 66 of the Local Government Pension Scheme (Administration) Regulations 2007 (as amended)**

Regulations in this part refer to the Local Government Pension Scheme (Benefits, Membership and Contributions) Regulations 2007 (as amended)

**1. Regulation 12 - Power of an employing authority to increase total membership of active members.**

An employer may resolve to increase the total membership of an employee at any time whilst he is an active member of the Scheme with them. The maximum additional membership period that can be awarded is 10 years.

The employer must pay to the Pension Fund, within one month from the date that any additional membership is awarded (or such longer period as agreed between the employer and the administering authority), a sum as calculated in accordance with guidance issued by the Government Actuary.

**Employer's policy**

The Employing Authority resolves to use the scheme for augmentation to award up to 5

added years in cases of redundancy, efficiency of the service severance or early retirement, only in exceptional cases.

**2. Regulation 13 – Power of employing authority to award additional pension**

An employer may resolve to award an employee, at any time whilst he is an active member of the Scheme with them, additional pension of not more than £5,000 a year payable from the same date as his pension is payable under any provisions of the Local Government Pension Scheme Regulations.

Additional pension may be paid in addition to any increase of membership under regulation 12 of the LGPS (Benefits, Membership and Contributions) Regulations 2007 (as amended).

The employer must pay to the Pension Fund, within one month from the date that any additional membership is awarded (or such longer period as agreed between the employer and the administering authority), a sum as calculated in accordance with guidance issued by the Government Actuary.

**Employer's policy**

The Employing Authority resolves to use the scheme for awarding additional pension in

cases of redundancy, efficiency of the service severance or early retirement, only in exceptional cases.

**3. Regulation 18 – Flexible retirement**

A member who has attained the age of 55 and who, with his employer's consent, reduces the hours he works, or the grade in which he is employed, may make a request in writing to the appropriate administering authority to receive all or part of his benefits under the Regulations, and such benefits may, with the employer's consent, be paid to him notwithstanding that he has not retired from that employment.

If the payment of benefits takes effect before the member's 65th birthday they will be reduced in accordance with guidance issued by the Government Actuary unless the employer agrees to waive, in full or in part, any such reduction at their cost.

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In the case of a person who was an active member on 31st March 2008, and who makes a request before 31st March 2010, substitute the age of 55 above with the age of 50.

**Employer's policy**

The Employing Authority will consider requests for flexible retirement on a case by case basis. Approval will be sought through the Employment Committee where all costs and benefits will be explicit.

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**4. Regulation 30 – Choice of early payment of pension**

If a member leaves a local government employment before he is entitled to the immediate payment of retirement benefits, once he has attained the age of 55 he may choose to receive payment of them immediately. A choice by a member aged less than 60 is ineffective without the consent of his employer or former employer and the employer must pay to the Pension Fund a sum representing the capital cost of releasing those benefits early.

His pension must be reduced by the amounts shown as appropriate in guidance issued by the

Government Actuary although the employer may determine on compassionate grounds to waive the actuarial reduction.

In the case of a person who was an active member on 31st March 2008, and who makes a request before 31st March 2010, substitute the age of 55 above with the age of 50.

**Employer's policy**

The Employing Authority has resolved that no such elections will be considered.

**PART B – Formulation of policy in accordance with further discretions under the Local**

**Government Pension Scheme (Administration) Regulations 2007 (as amended)**

Regulations in this part refer to the Local Government Pension Scheme (Administration) Regulations 2007 (as amended)

**5. Regulation 16 - Re-employed and re-joining deferred members**

Where a deferred member becomes an active member again before becoming entitled to the

payment of those deferred retirement benefits, he may elect to have his former deferred membership aggregated with his current active membership on or after the date that he again becomes an active member. An election must be made within 12 months from the date that the member re-joins the Local Government Pension Scheme or such longer period as his employer may allow.

It is worth noting that if the member has more than one former period of deferred membership, it is only the most recent deferred membership period that can be aggregated with his current active membership unless earlier periods of deferred membership have already been aggregated with the most recent period of deferred membership.

**Employer's policy**

The Employing Authority has resolved to examine such issues on a case by case basis.

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**6. Regulation 22 – Applications to make absence contributions**

This provides for a scheme member to pay optional contributions, for a period of unpaid absence from work, within 30 days of returning to, or of ceasing, employment. The employer can agree to extend this time limit.

**Employer's policy**

The Employing Authority has resolved not to adopt this discretion.

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## **7. Regulation 25 – Additional Voluntary Contributions (AVCs) and Shared Cost Additional**

### **Voluntary Contributions (SCAVCs)**

An active member may elect to pay AVCs into a scheme established under contract between his appropriate administering authority and a body approved for the purposes of the Finance Act 2004.

Under paragraph 3 of this regulation an employer can, at its discretion contribute to the AVC scheme and where they do the AVC scheme is known as a shared cost additional voluntary contributions arrangement and contributions to it as SCAVCs.

### **Employer's policy**

The Employing Authority has resolved not to adopt this discretion.

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## **8. Regulation 83 – Inward transfers of pension rights**

This provides that an active scheme member may elect to transfer into the Local Government

Pension Scheme relevant pension rights held elsewhere. The member must request the transfer of such rights in writing within 12 months of becoming a member of the Local Government Pension Scheme or such longer period as the employer may allow.

### **Employer's policy**

The Employing Authority has resolved to examine such issues on a case by case basis.

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## **9. Regulation 57(5)(c) – Notification of decisions under regulation 58**

Responsibility for determinations under the first stage of the Internal Disputes Resolution Procedure rests with a "specified person" appointed by the (former) employer of a scheme member.

### **Employer's policy**

The specified person for this employer is:

Name: Tony Madden

Job Title: Chief Officer: Human Resources

Address: Easthampstead House, Town Square, Bracknell, Berkshire RG12 1AQ

Tel No: 01344 352062

Email: [tony.madden@bracknell-forest.gov.uk](mailto:tony.madden@bracknell-forest.gov.uk)

Or alternatively:

Name: Alan Nash

Job Title: Borough Treasurer

Address: Easthampstead House, Town Square, Bracknell, Berkshire, RG12 1AQ

Tel No: 01344 355605

Email: [alan.nash@bracknell-forest.gov.uk](mailto:alan.nash@bracknell-forest.gov.uk)

## **PART C – Formulation of policy with regard to Regulation 5 of the Local Government Pension Scheme Regulations (Benefits, Membership and Contributions) Regulations 2007 (as amended)**

### **10. Regulation 5 - Contributions payable by active members**

An active member shall make contributions to the Scheme at the contribution rate from his pensionable pay in each employment in which he is an active member. The contribution rate to be applied to his pensionable pay in any financial year (starting with 1st April 2008) is the rate determined by the employer to represent the assumed pensionable pay for the forthcoming year.

Where there is a material change to a member's pensionable pay in the course of a financial year, the employer may re-determine the contribution rate to be applied in his case.

### **Employer's policy**

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**The Employing Authority have resolved that where changes in pay have occurred as a result of a transfer to a new post, or where there has been a forced reduction in salary that the contribution rate will be reviewed. In other cases the Employing Authority have resolved not to adopt this discretion**

*It is understood that the above discretions are applicable to all eligible members of the Scheme. The Scheme rules allow for a revised statement to be issued at least one month in advance of the date that the new policy takes effect. The revised statement must be sent to the administering authority and publish its statement as revised.*

*The policies made above:*

- i) Must have regard to the extent to which the exercise of the discretions could lead to a serious loss of confidence in the public service;*
  - ii) Will not be used for any ulterior motive;*
  - iii) Will be exercised reasonably;*
  - iv) Will only be used when there is a real and substantial future benefit to the employer for incurring the extra costs that may arise;*
  - v) Will be duly recorded when applied.*
-