
Senior management posts of Chief Executive, Executive Director (Place), Service Director and Service Lead

Committee considering report:	Executive on 19 December 2019
Portfolio Member:	Councillor Howard Woollaston
Date Portfolio Member agreed report:	20 November 2019
Report Author:	Robert O'Reilly (Head of HR)
Forward Plan Ref:	EX3825

1. Purpose of the Report

- 1.1 The report seeks permission from the Executive to increase the salary range for the post of Chief Executive in accordance with the external independent advice from SEE from 1st April 2020.
- 1.2 This report proposes the establishment of the post of Executive Director (Place) on 1st April 2020. The Executive has already decided on the remuneration levels for the new posts of Executive Director (People) and Executive Director (Resources). Both of these posts have now been filled. The Executive is now asked to approve the establishment and remuneration level for the post of Executive Director (Place) from 1st April 2020.
- 1.3 This report proposes the establishment of two levels of senior management posts of Service Director and Service Lead based on external independent advice received from South East Employers (SEE).
- 1.4 The new salary scales for the post of Chief Executive and Executive Director (Place) will take effect from 1st April 2020. The remuneration for the posts of Service Director and Service Lead will take effect on the first day of a new appointment if that is before 1st April 2020. The salary will then increase within the NJC 'cost of living' award on 1st April 2020.

2. Recommendations

- 2.1 It is recommended that the current post holder be moved into the new salary scale for Chief Executive on 1st April 2020 at a scale point no less than his current salary.
- 2.2 It is recommended that the current Corporate Director (Economy & Environment) is moved into the new role of Executive Director (Place) on 1st April 2020 on the salary scale proposed and at a spinal column point no less than the post holder's current salary.
- 2.3 It is recommended that the posts of Service Director for Adult Social Care, Environment and Strategy & Governance be established and recruited to early in 2020.

- 2.4 It is recommended that any Special Recruitment Payment to be applied to a Service Director post should be approved by the Head of Paid Service (Chief Executive) in conjunction with the Leader of the Council.
- 2.5 It is recommended that the final decision on pay structure for the Service Lead posts should be delegated to the Head of Paid Service.

3. Implications

- 3.1 **Financial:** The report to the Executive on 28th March 2019 stated that there is an expectation that the changes, including enhanced remuneration will be met from within the existing budget envelope. Overall financial savings will be delivered through reducing the number of senior managers at Tiers 1 – 3. Costs will vary during the transitional phase. It is recommended that any short term budget pressure emerging during 2020/21 is met from the Restructuring Reserve.
- 3.2 **Policy:** The changes proposed in this report will also need to be included in the Council's Statutory Pay Policy.
- 3.3 **Personnel:** Included in report.
- 3.4 **Legal:** None
- 3.5 **Risk Management:** None
- 3.6 **Property:** None
- 3.7 **Other:** None

4. Other options considered

- 4.1 None – the need for this report was approved by the Executive on 28th March 2019.

Executive Summary

5. Introduction / Background

- 5.1 The Executive agreed in December 2018 that an independent review of senior management remuneration should be undertaken. This review was led by South East Employers (SEE) and Members decided to ask SEE to undertake a review of the senior management arrangements at the same time.
- 5.2 Proposals were circulated to staff and unions for internal consultation in February 2019 and new senior management arrangements were approved by the Executive on 28th March 2019.
- 5.3 All salary figures quoted in this report are 'per annum' unless otherwise stated.

6. Proposals

- 6.1 The post of Chief Executive is currently remunerated at £132,473 - £141,599 plus a car allowance of £5,000. The independent external advice from SEE stated that this is too low in comparison with other Chief Executive posts and recommended an increase to a salary range of £145,000 - £148,000. The SEE independent report noted that the salary level was in the lower quartile across Berkshire unitary authorities; and the report stated that *"it would not be unreasonable to consider bringing the salary...to a level closer to the median..."* The SEE report recommended a salary level for the role of Chief Executive of £145,000 - £148,000. It is proposed that the current Chief Executive is moved onto the revised salary scale of £145,000 - £148,000 (a salary scale with intervals of £1000 between salary points). This report recommends that the revised salary range is introduced from 1st April 2020 maintaining a separate car allowance. The existing post-holder will be moved onto this scale on 1st April 2020 on a spinal column point which is no lower than his existing salary. The salary range will increase with the national 'cost of living' award on 1st April 2020 in the NJC national pay award for local government staff.
- 6.2 The post of Corporate Director (Economy and Environment) is currently remunerated at a salary range of £97,888 to £110,841 plus a car allowance of £4,000. The salary scale for the post of Executive Director (Place) was placed at £5,000 lower than the other Executive Director posts following the SEE Senior Management JE Scheme (specifically designed for senior managers in local government). This post does not hold or supervise a statutory role (unlike the other two Executive Director posts). The salary level proposed by SEE for the role of Executive Director (Place) is £118,000 to £123,000 (a salary scale with intervals of £1000 between salary points). This report proposes that the post of Executive Director (Place) is established on 1 April 2020 on the SEE recommended salary range. This report proposes that the current Corporate Director (E&E) is moved to the post of Executive Director (Place) on 1st April 2020 on a spinal column point which is no lower than his existing salary. The Corporate Director (Economy & Environment) role has been job-matched with the Executive Director (Place) role. The post of Corporate Director (Economy & Environment) will be deleted on 1st April 2020. The salary range for the post of Executive Director (Place) will increase with the national 'cost of living' award on 1st April 2020.

- 6.3 The post of Service Director has been recommended by SEE and the recommended salary level is £88k to £94k pa. This report therefore proposes that the post of Service Director should have a salary level of £88k to £94k on a new grade O (a salary scale with intervals of £1000 between salary points).
- 6.4 Service Directors are for Adult Social Care (ASC); Public Health & Wellbeing (PH&W); Strategy & Governance; Customer Services; Environment; Children and Young People (C&YP) and Development & Regulation. To allow an emergent structure, the posts of Service Director will normally be advertised internally first. Subsequent recruitment will be advertised externally.
- 6.5 The Service Director post of Children and Young People is subject to a further review and decision by the Executive. This is because the Executive decided in March 2019 that a further review should consider whether this post should include responsibility for Education; or whether there should be an eighth Service Director for Education. A further report will be submitted in due course regarding this issue.
- 6.6 It is proposed to introduce for Service Directors the flexibility of a recruitment and retention supplement known as a Special Recruitment Payment (SRP) of £5,000 to £8,000. A governance arrangement will be introduced to scrutinise any request from an Executive Director to pay a SRP to a Service Director (e.g. a report to the Executive based on evidence of recruitment and retention issues in the relevant professional area). SRPs would need to be reviewed every five years by HR. A SRP may be reduced or removed, with one year's notice, if the recruitment and retention issues have changed. The value of SRPs will increase with the national 'cost of living' pay award from 1st April 2021 and each year thereafter.
- 6.7 It is proposed that a new role of Service Lead is created which may be used by Service Directors if it is appropriate. There is no expectation that all Tier 4 posts will become Service Leads. No Service Leads will be appointed until a Service Director has been appointed and the new department for that Service Director has been formed. Appendix D shows a suggested salary structure for the Service Lead role: the current N grade will be extended downwards to start at £64k and end at £68k and grade N will then be used solely for Service Leads. Further advice is being sought from South East Employers on salary benchmarking for the Service Lead grade and it is proposed that the final decision on the pay structure should be delegated to the Head of Paid Service.
- 6.8 HR will produce guidance and outline criteria for the establishment of a post of Service Lead to ensure consistency in terms of level of responsibility across the Council. The establishment of any Service Lead posts will be approved at corporate level. Details of the service specific elements of the job description for a Service Lead will be completed by the relevant Service Director. To allow an emergent structure, the posts of Service Lead will normally be advertised internally first (note: this might include internal adverts with another local authority if the service is shared). Subsequent recruitment will be advertised externally.
- 6.9 It is proposed that Heads of Service will have the name of their pay grade changed from N to HOS and this will be from £68,864 to £84,704 (i.e. no change). There will be no more appointments at HOS and this grade will not be used when the last Head of Service post becomes vacant and is deleted. As stated in the report to the Executive on 28th March the Chief Executive will review progress towards the new

structure in November/ December each year to allow any changes to be put in place by the following April.

- 6.10 The draft pay scales showing the Service Leads on revised Grade N; the revised Head of Service grade; and the Service Directors on Grade O is shown at Appendix D. The salary scales for the three Executive Director posts and the Chief Executive are also shown.
- 6.11 The salary figures in this report for Service Directors and Service Leads will increase by the annual percentage 'cost of living' increase in the NJC national pay award from 1st April 2020 and each year thereafter.

7. Conclusions

- 7.1 The SEE report recommended a salary level for the role of Chief Executive of £145,000 - £148,000. This report recommends that the revised salary range is introduced from 1st April 2020 (a salary scale with intervals of £1000 between salary points).
- 7.2 This report proposed that the existing post-holder will be moved onto the increased salary scale for Chief Executive on 1st April 2020 on a spinal column point which is no lower than his existing salary. The salary range will increase with the national 'cost of living' award on 1st April 2020 in the NJC national pay award for local government staff and each year thereafter.
- 7.3 The SEE report recommended a salary level for the role of Executive Director (Place) of £118,000 to £123,000. This report recommends that the post of Executive Director (Place) on the revised salary range is established from 1st April 2020. The salary range will increase with the national 'cost of living' award on 1st April 2020 and each year thereafter.
- 7.4 This report proposes that the existing post-holder for the post of Corporate Director (Economy and Environment) is moved onto the increased salary scale for the post of Executive Director (Place) on 1st April 2020 on a spinal column point which is no lower than his existing salary. The post of Corporate Director (Economy & Environment) will be deleted on 1st April 2020.
- 7.5 This report proposes that the post of Service Director should have a salary level of £88,000 to £94,000 pa on a new grade O (a salary scale with intervals of £1000 between salary points).
- 7.6 Service Directors are for Adult Social Care (ASC); Public Health & Wellbeing (PH&W); Strategy & Governance; Customer Services; Environment; Children and Young People (C&YP) and Development & Regulation. As stated in the report to the Executive on 28th March 2019 the Chief Executive will review progress towards the new structure in November/December each year to allow any changes to be put in place by the following April.
- 7.7 This report proposes that the final decision on salary structure for the Service Lead post should be delegated to the Head of Paid Service, following receipt of benchmarking advice. The current proposal is that the post of Service Lead should have a salary level of £64,000 to £68,000 on a new grade O (a salary scale with intervals of £1000 between salary points).

- 7.8 The changes proposed in this report will also need to be included in the Council's Statutory Pay Policy.

8. Appendices

- 8.1 Appendix A – Data Protection Impact Assessment
- 8.2 Appendix B – Equalities Impact Assessment
- 8.3 Appendix C – Supporting Information
- 8.4 Appendix D – Draft pay scale showing new pay scales for Chief Executive, Executive Directors, Service Director and Service Lead.

Appendix A

Data Protection Impact Assessment – Stage One

The General Data Protection Regulations require a Data Protection Impact Assessment (DPIA) for certain projects that have a significant impact on the rights of data subjects.

Should you require additional guidance in completing this assessment, please refer to the Information Management Officer via dp@westberks.gov.uk

Directorate:	Resources
Service:	HR
Team:	HR
Lead Officer:	Robert O'Reilly
Title of Project/System:	Establishment of new senior management posts
Date of Assessment:	12/11/19

Do you need to do a Data Protection Impact Assessment (DPIA)?

	Yes	No
<p>Will you be processing SENSITIVE or “special category” personal data?</p> <p>Note – sensitive personal data is described as “data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person’s sex life or sexual orientation”</p>	<input type="checkbox"/>	x
<p>Will you be processing data on a large scale?</p> <p>Note – Large scale might apply to the number of individuals affected OR the volume of data you are processing OR both</p>	<input type="checkbox"/>	x
<p>Will your project or system have a “social media” dimension?</p> <p>Note – will it have an interactive element which allows users to communicate directly with one another?</p>	<input type="checkbox"/>	x
<p>Will any decisions be automated?</p> <p>Note – does your system or process involve circumstances where an individual's input is “scored” or assessed without intervention/review/checking by a human being? Will there be any “profiling” of data subjects?</p>	<input type="checkbox"/>	x
<p>Will your project/system involve CCTV or monitoring of an area accessible to the public?</p>	<input type="checkbox"/>	x
<p>Will you be using the data you collect to match or cross-reference against another existing set of data?</p>	<input type="checkbox"/>	x
<p>Will you be using any novel, or technologically advanced systems or processes?</p> <p>Note – this could include biometrics, “internet of things” connectivity or anything that is currently not widely utilised</p>	<input type="checkbox"/>	x

If you answer “Yes” to any of the above, you will probably need to complete [Data Protection Impact Assessment - Stage Two](#). If you are unsure, please consult with the Information Management Officer before proceeding.

Appendix B

Equality Impact Assessment - Stage One

We need to ensure that our strategies, policies, functions and services, current and proposed have given due regard to equality and diversity as set out in the Public Sector Equality Duty (Section 149 of the Equality Act), which states:

- “(1) A public authority must, in the exercise of its functions, have due regard to the need to:***
- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;***
 - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; this includes the need to:***
 - (i) remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;***
 - (ii) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it;***
 - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it, with due regard, in particular, to the need to be aware that compliance with the duties in this section may involve treating some persons more favourably than others.***
- (2) The steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities.***
- (3) Compliance with the duties in this section may involve treating some persons more favourably than others.”***

The following list of questions may help to establish whether the decision is relevant to equality:

- Does the decision affect service users, employees or the wider community?
- (The relevance of a decision to equality depends not just on the number of those affected but on the significance of the impact on them)
- Is it likely to affect people with particular protected characteristics differently?
- Is it a major policy, or a major change to an existing policy, significantly affecting how functions are delivered?
- Will the decision have a significant impact on how other organisations operate in terms of equality?
- Does the decision relate to functions that engagement has identified as being important to people with particular protected characteristics?
- Does the decision relate to an area with known inequalities?
- Does the decision relate to any equality objectives that have been set by the council?

Please complete the following questions to determine whether a full Stage Two, Equality Impact Assessment is required.

What is the proposed decision that you are asking the Executive to make:	Establish two new senior management levels
Summary of relevant legislation:	n/a
Does the proposed decision conflict with any of the Council's key strategy priorities?	no
Name of assessor:	Robert O'Reilly
Date of assessment:	02/09/19

Is this a:		Is this:	
Policy	No	New or proposed	No
Strategy	No	Already exists and is being reviewed	No
Function	No	Is changing	Yes
Service	No		

1 What are the main aims, objectives and intended outcomes of the proposed decision and who is likely to benefit from it?	
Aims:	To introduce new senior management structure.
Objectives:	To introduce new senior management structure.
Outcomes:	To introduce new senior management structure.
Benefits:	To introduce new senior management structure.

2 Note which groups may be affected by the proposed decision. Consider how they may be affected, whether it is positively or negatively and what sources of information have been used to determine this. (Please demonstrate consideration of all strands – Age, Disability, Gender Reassignment, Marriage and Civil Partnership, Pregnancy and Maternity, Race, Religion or Belief, Sex and Sexual Orientation.)		
Group Affected	What might be the effect?	Information to support this
Age	none	
Disability	none	
Gender Reassignment	none	
Marriage and Civil	none	

Partnership		
Pregnancy and Maternity	none	
Race	none	
Religion or Belief	none	
Sex	none	
Sexual Orientation	none	
Further Comments relating to the item:		

3 Result	
Are there any aspects of the proposed decision, including how it is delivered or accessed, that could contribute to inequality?	No
Please provide an explanation for your answer: posts will be advertised internally.	
Will the proposed decision have an adverse impact upon the lives of people, including employees and service users?	No
Please provide an explanation for your answer: posts will improve service for people.	

If your answers to question 2 have identified potential adverse impacts and you have answered 'yes' to either of the sections at question 3, or you are unsure about the impact, then you should carry out a Stage Two Equality Impact Assessment.

If a Stage Two Equality Impact Assessment is required, before proceeding you should discuss the scope of the Assessment with service managers in your area. You will also need to refer to the [Equality Impact Assessment guidance and Stage Two template](#).

4 Identify next steps as appropriate:	
Stage Two required	no
Owner of Stage Two assessment:	n/a
Timescale for Stage Two assessment:	n/a

Name: Robert O'Reilly

Date: 12/11/19

Please now forward this completed form to Rachel Craggs, Principal Policy Officer (Equality and Diversity) (rachel.craggs@westberks.gov.uk), for publication on the WBC website.