



TORPOINT TOWN COUNCIL

PAY AND CONDITIONS POLICY

DATE: - June 2023

NEXT RENEWAL DATE: - June 2024

**Reviewing Body:-
Personnel Committee**

TORPOINT TOWN COUNCIL

PAY AND CONDITIONS POLICY

INTRODUCTION

This policy provides a framework for making decisions on staff pay and conditions. It has been developed so that a reference document is available to which Torpoint Town Council and employees can refer.

1. STATEMENT OF INTENT

Future revisions to the policy will be subject to an annual review by the Finance and Personnel Committee at the December meeting and from there for formal approval by Torpoint Town Council.

Torpoint Town Council will act with integrity, confidentiality, objectivity and honesty in the best interests of the Council; will be open about decisions made and actions taken, and will be prepared to explain decisions and actions to interested persons. Its procedures for determining pay will be consistent with the principles of public life: objectivity, openness and accountability.

2. EQUALITIES / DISABILITIES LEGISLATION

Torpoint Town Council is committed to ensuring equality in everything that we do. The Equality Act 2010 has replaced and strengthened previous equality legislation.

This Policy will be applied consistently to all employees irrespective of age, disability, gender (sex), gender reassignment, marriage and civil partnership, pregnancy and maternity, religion or belief, and sexual orientation.

Torpoint Town Council will comply with all relevant equalities legislation.

Torpoint Town Council will promote equality in all aspects of Council life, particularly in relation to all decisions on promoting and paying staff, training, conditions at work and staff development.

3. EQUALITIES AND PAY

Torpoint Town Council will ensure that its pay processes are transparent and fair. All decisions made will be objectively justified and recorded. Reasonable adjustments will be made on a case by case basis to take account of circumstances such as an absence due to maternity or long-term sick leave.

4. JOB DESCRIPTIONS

Torpoint Town Council will ensure that each member of staff is provided with a job description in accordance with the staffing structure agreed by the Council. Job descriptions will identify key areas of responsibility and will only be changed by agreement, other than through a staffing restructure. The current staffing structure is appended to this policy – *Appendix 1*.

5. APPRAISAL

Torpoint Town Council will ensure that the appraisal process is fair, open and transparent and will form part of the Council performance management strategy. Members of staff will each receive an annual appraisal that will shape and determine their performance against their job description and future development.

6. TOWN COUNCIL OBLIGATIONS

Torpoint Town Council will:

- Fulfil its obligations to staff not only in legislation but also with due deference to Council HR policies, staff contracts and job descriptions.
- Encourage staff to merit progress through salary scales and promotion based on succession planning
- Ensure that any revised pay policy complies with relevant legislation and conditions of service
- Ensure that it makes finances available to support pay decisions, in accordance with this policy and the council's spending plan
- Ensure that staff are informed about pay decisions made which affect them and that records are kept of recommendations and decisions made
- Monitor on an annual basis the outcomes of pay decisions, ensuring the Council's continued compliance with equalities legislation.
- Recognise union representation within the workplace.
- Promote and encourages professional membership of the industry standard professional body or bodies and will contribute membership fees to assist with professional standards being maintained.
- From 1st July 2023 become and accredited Real Living Wage Employer and sign up to the accredited living wage employers list.

7. TOWN CLERK'S AND RFO OBLIGATIONS

The Town Clerk & RFO will ensure the following:

- Notify payroll at Cornwall Council about pay decisions to be implemented;
- Record in the employees file the decision of the Finance and Personnel Committee and Council.
- Complete the monthly overtime schedule to Cornwall Council
- Inform staff about the council's Pay and Conditions policy and ensure they have access to it;
- Submit pay recommendations to the Finance and Personnel Committee and ensure the Committee has relevant information upon which to make pay decisions. This may be based on:
 - i) continuing professional development undertaken outside the usual working hours
 - ii) Secondment to another organisation
 - iii) Additional responsibilities and activities undertaken in pursuance of the Town Councils service provision or additional tasks.Present to the Finance and Personnel Committee a monthly analysis of the overtime or casual hours worked by each employee and the reason for the additional hours.

8. STAFF OBLIGATIONS

All staff should familiarise themselves with the provisions of this policy.

9. DIFFERENTIALS AND PAY SCALES

Appropriate differentials will be created and maintained between posts within the council, recognising responsibility, knowledge and skills, and the Council's need to recruit, retain and motivate staff of the required quality at all levels. The Town Council **operates the National Joint Council for Local Government Services (NJC) Pay Scales**. The NJC spinal point band for posts are determined by Torpoint Town Council and are detailed below subject to performance management. The NJC has revised the pay spinal points commencing from the 1st April 2022 and these are appended as *Appendix 2*.

Additionally, Torpoint Town Council will adopt any agreement and recommendations negotiated between the Local Government Association (LGA) and the Trade Unions in respect to the annual pay bargaining process or other additional emoluments.

*Where staff have undertaken the training for Enforcement Officer duties' and responsibilities, staff will commence on spinal point 6 to reflect the increase in job responsibility and accountability.

** TUPEd staff currently under Cornwall Council Terms and Conditions of Employment.

10. SUPERANNUATION

Torpoint Town Council is a member of the Local Government Pension Scheme (LGPS) operated by Cornwall Council and all employees will automatically opt-in to this scheme on appointment. All new employees will complete the "new starter form" and if the employee wishes to "opt out" of the scheme, the section of the form referring to superannuation shall be signed to this effect together with the Cornwall LGPS Opt out form.

11. CAPABILITY

Where a member of staff is subject to a capability procedure, performance management arrangements will be suspended in relation to the staff member concerned until the capability procedure has been concluded.

On conclusion of the capability procedure, the staff member will resume performance management process.

Pay progression will not be permissible in accordance with this pay policy while a staff member is subject to a capability procedure. On conclusion of the capability procedure, the staff member will be required to have a successful performance management / appraisal review before pay progression is permitted. The review will be deemed to be successful where the staff member has met, or has made significant progress towards meeting, his/her objectives during a reasonable period of time following the conclusion of the capability procedure. Pay progression will not be applied retrospectively in any case of capability.

12. PROCEDURES

Torpoint Town Council has delegated its pay determination powers to the Finance and Personnel Committee to review the pay and conditions of employees with a recommendation to Council for consideration and implementation.

Annual determination of pay

All staff salaries, will be reviewed annually to take effect from 1st April of the financial year following review. The Council will endeavour to complete staff annual pay reviews by 31st October for inclusion in the budget proposals and statement in the Council minutes at the November Finance and Personnel Committee meeting and confirmed at the November Council meeting.

Reviews may take place at other times of the year to reflect, for example, any changes in circumstances, changes in a job description that lead to a change in the basis for calculating an individual's pay and in cases where a staff member resumes performance management arrangements following capability processes.

Notification of pay determination

Any amendment to the current pay will be notified to the staff member in writing (or in the case of the Town Clerk and RFO by the Town Mayor) (setting out the pay and any other financial benefits to which they are entitled following a determination.

This will follow formal approval by Council.

13. MILEAGE AND OTHER EXPENSES

Torpoint Town Council will reimburse members of staff for mileage incurred whilst undertaking Council business, evidence of vehicle business insurance must be shown. The Council will not reimburse travel to the employee's normal or usual place of work. The Council will reimburse standard class rail fare or mileage allowance whichever is the most cost effective. However where rail travel is not possible or feasible, then the Council will accept a mileage claim that must be completed on the Town Council approved form.

The current rate of reimbursement will be:

Up to the first 10,000 miles – 45p per mile (or the current HMRC rate in force at the time).
Over 10,000 miles - 25p per mile
Passenger rate - 5p per mile.

(Note: - this rate will also apply to Council members for travel on Council business outside of the parish, VAT receipts for fuel to accompany any claim.)

Accommodation and Meals

Accommodation and meals should be limited to reasonable amounts. Full VAT receipts must be provided in all cases to guarantee reimbursement. All re-claim expenditure should be submitted within 3 (three) calendar months following the date of incurring the expenditure. Claims submitted for expenditure in excess of the three months might not be paid.

14. HOLIDAY ENTITLEMENT

Torpoint Town Council have confirmed that the holiday entitlement for full time working staff (5 days per week 37 hours per week) will be:

Up to 5 years' service – 24 days holiday (excluding public and bank holidays)

Over 5 years' service - 29 days holiday (excluding public and bank holidays)

For office based staff, 3 days of holiday entitlement must be taken between the Christmas holiday and New Year holiday. For other staff the holiday entitlement can be flexible.

Holidays must be agreed with the employee's line manager (for the Town Clerk this is

the Town Mayor. A total of 5 days (FTE rate pro rata for part time staff) maximum may be carried forward from the current year to the following year.

15. SICK PAY ENTITLEMENT

The Council will pay the following occupational sick pay in accordance with the requirements stated within this policy and payment includes any entitlement to SSP. Benefits are listed in the table below

SERVICE TERM	BENEFITS
During 1 st year of service	One month's full pay and (after completing 4 months' service) 2 months' half pay
During 2 nd year of service	2 months' full pay and 2 months' half pay
During 3 rd year of service	4 months' full pay and 4 months' half pay
During 4 th & 5 th - year of service	5 months' full pay and 5 months' half pay
After 5 years' service	6 months' full pay and 6 months' half pay

If an employee is in receipt of any benefits due to illness or injury, these will be deducted or reclaimed by the Council through the franchise pay arrangement with Cornwall Council. The member of staff must notify the Council of these benefits as a failure to disclose these may be considered a disciplinary matter and may result in disciplinary action including dismissal.

For further information on sickness absence please refer to the Council's Managing Sickness Absence policy.



APPENDIX 1 STAFFING STRUCTURE

POST	Revised spinal point scale as from 1st April
Town Clerk & RFO	37-43
Operations Manager	18-23
Community Hub & Library Development Manager	16-23
Town Council Support Officer	7-12
Caretaker & Enforcement Officer Library & Information Services Assistant Facilities Operative	4-6

APPENDIX 2 National Joint Council for Local Government Services (NJC) Pay Scales.



t: 020 7637 1865
e: nalc@nalc.gov.uk

w: www.nalc.gov.uk
a: 109 Great Russell Street,
London WC1B 3LD

2 November 2022

E02-22 | 2022-23 NATIONAL SALARY AWARD

The LGA has notified us they have come to an agreement on the new pay scales for 2022-23 to be implemented from 1 April 2022. Employers are encouraged to implement this pay award as swiftly as possible.

“Pay

Agreement has been reached on rates of pay applicable from 1 April 2022.

Employers are encouraged to implement this pay award as swiftly as possible.

Backpay for employees who have left employment since 1 April 2022

If requested by an ex-employee to do so, we recommend that employers should pay any monies due to that employee from 1 April 2022 to the employee's last day of employment.

When salary arrears are paid to ex-employees who were in the Local Government Pension Scheme (LGPS), the employer must inform its local LGPS fund. Employers will need to amend the CARE and final pay figures (if the ex-employee has pre-April 2014 LGPS membership) accordingly. Further detail is provided in [section 15 of the HR guide](#) which is available on the [employer resources section](#) of www.lgpsregs.org”

The attached Annex lists the new pay scales for clerks and other employees employed under the terms of the model contract including SCPs 50 and above. These calculations are based on the changes agreed by the NJC. These should be retrospectively applied from 1 April 2022.

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ANNEX 1

SCP	1 April 2021		1 April 2022		Scale Ranges
	£ per annum	* £ per hour	£ per annum	* £ per hour	Based on SCP
1	£18,333	£9.53	£20,258	£10.53	Below LC Scale (for staff other than clerks)
2	£18,516	£9.62	£20,441	£10.62	
3	£18,887	£9.82	£20,812	£10.82	
4	£19,264	£10.01	£21,189	£11.01	
5	£19,650	£10.21	£21,575	£11.21	LC1 (5-6) (below substantive range)
6	£20,043	£10.42	£21,968	£11.42	
7	£20,444	£10.63	£22,369	£11.63	LC1 (7-12) (substantive benchmark range)
8	£20,852	£10.84	£22,777	£11.84	
9	£21,269	£11.05	£23,194	£12.06	
10	£21,695	£11.28	£23,620	£12.28	
11	£22,129	£11.50	£24,054	£12.50	
12	£22,571	£11.73	£24,496	£12.73	
13	£23,023	£11.97	£24,948	£12.97	LC1 (13-17) (above substantive range)
14	£23,484	£12.21	£25,409	£13.21	
15	£23,953	£12.45	£25,878	£13.45	
16	£24,432	£12.70	£26,357	£13.70	
17	£24,920	£12.95	£26,845	£13.95	
18	£25,419	£13.21	£27,344	£14.21	LC2 (18-23) (below substantive range)
19	£25,927	£13.48	£27,852	£14.48	
20	£26,446	£13.75	£28,371	£14.75	
21	£26,975	£14.02	£28,900	£15.02	
22	£27,514	£14.30	£29,439	£15.30	
23	£28,226	£14.67	£30,151	£15.67	

SCP	1 April 2021		1 April 2022		Scale Ranges
	£ per annum	* £ per hour	£ per annum	* £ per hour	Based on SCP
24	£29,174	£15.16	£31,099	£16.16	LC2 (24-28) (substantive benchmark range)
25	£30,095	£15.64	£32,020	£16.64	
26	£30,984	£16.10	£32,909	£17.10	
27	£31,895	£16.58	£33,820	£17.58	
28	£32,798	£17.05	£34,723	£18.05	
29	£33,486	£17.40	£35,411	£18.40	LC2 (29-32) (above substantive benchmark range)
30	£34,373	£17.87	£36,298	£18.87	
31	£35,336	£18.37	£37,261	£19.37	
32	£36,371	£18.90	£38,296	£19.90	
33	£37,568	£19.53	£39,493	£20.53	LC3 (33-36) (below substantive range)
34	£38,553	£20.04	£40,478	£21.04	
35	£39,571	£20.57	£41,496	£21.57	
36	£40,578	£21.09	£42,503	£22.09	
37	£41,591	£21.62	£43,516	£22.62	LC3 (37-41) (substantive benchmark range)
38	£42,614	£22.15	£44,539	£23.15	
39	£43,570	£22.65	£45,495	£23.65	
40	£44,624	£23.19	£46,549	£24.19	
41	£45,648	£23.73	£47,573	£24.73	
42	£46,662	£24.25	£48,587	£25.25	LC3 (42-45) (above substantive benchmark range)
43	£47,665	£24.77	£49,590	£25.77	
44	£48,857	£25.39	£50,782	£26.39	
45	£50,074	£26.03	£51,999	£27.03	
46	£51,334	£26.68	£53,259	£27.68	LC4 (46-49) (below substantive range)
47	£52,607	£27.34	£54,532	£28.34	
48	£53,768	£27.95	£55,693	£28.95	
49	£55,274	£28.73	£57,199	£29.73	

SCP	1 April 2021		1 April 2022		Scale Ranges
	£ per annum	* £ per hour	£ per annum	* £ per hour	Based on SCP
50	£56,658	£29.45	£58,583	£30.45	LC4 (50-54) (substantive benchmark range)
51	£58,070	£30.18	£59,995	£31.18	
52	£60,007	£31.19	£61,932	£32.19	
53	£61,938	£32.19	£63,863	£33.19	
54	£63,878	£33.20	£65,803	£34.20	
55	£65,831	£34.22	£67,756	£35.22	LC4 (55-62) (above substantive benchmark range)
56	£67,759	£35.22	£69,684	£36.22	
57	£69,712	£36.23	£71,637	£37.23	
58	£71,626	£37.23	£73,551	£38.23	
59	£73,441	£38.17	£75,366	£39.17	
60	£75,295	£39.13	£77,220	£40.14	
61	£77,193	£40.12	£79,118	£41.12	
62	£79,144	£41.14	£81,069	£42.14	

* Hourly Rates

As per the national agreement, hourly rates are calculated by dividing annual salary by 52 weeks and then by 37 hours. Please note that these hourly rates differ from those published by NJC for Principal Authorities as the calculation basis differs. Please also note that NJC have resolved to delete SCP 1 w.e.f. 1st April 2023