



**DORSET & WILTSHIRE
FIRE AND RESCUE
AUTHORITY**

Item 19/11

MEETING	Dorset & Wiltshire Fire and Rescue Authority
DATE OF MEETING	12 February 2019
SUBJECT OF THE REPORT	Draft Pay Policy Statement 2019-20
STATUS OF REPORT	For open publication
PURPOSE OF REPORT	For discussion
EXECUTIVE SUMMARY	<p>The Localism Act 2011 places an annual requirement on Fire and Rescue Authorities to produce and publicise a statement setting out their policies on the remuneration of their chief officers and lowest paid employees. This paper fulfils this requirement.</p> <p>The ratio between the Chief Fire Officer and the lowest paid employee is 8.65. In relation to the Chief Fire Officer and those employed on Grey Book terms and conditions the ratio is 4.13 and the ratio between the Chief Fire Officer and those employed on Green Book terms and conditions the ratio is 5.97.</p>
RISK ASSESSMENT	The approval and subsequent publication of a pay policy statement each financial year is a statutory requirement under the Localism Act 2011 and failure to comply will result in reputational damage.
COMMUNITY IMPACT ASSESSMENT	No separate impact assessment has been carried out in bringing forward this report.
BUDGET IMPLICATIONS	None identified other than stated within the report.
RECOMMENDATIONS	<p>Members are asked to:</p> <ol style="list-style-type: none"> 1. approve the attached Pay Policy Statement for the financial year 2019-20.

BACKGROUND PAPERS	Transparency Code https://www.gov.uk/government/publications/local-government-transparency-code-2015
APPENDICES	Appendix A – Draft Pay Policy Statement 2019-20
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1. Introduction

- 1.1 Sections 38 to 43 of the Localism Act 2011 place a requirement upon relevant Fire and Rescue Authorities to prepare a pay policy statement for each financial year, setting out the Authority's policies relating to:
- (a) the remuneration of its chief officers,
 - (b) the remuneration of its lowest-paid employees, and
 - (c) the relationship between –
 - (i) the remuneration of its chief officers, and
 - (ii) the remuneration of its employees who are not chief officers.
- 1.2 The paragraphs below provide Members with an update on pay related matters since the publication of the last pay policy statement.

2. Draft Public Sector Exit Payments Regulations 2016

- 2.1 The draft Public Sector Exit Payment Regulations were published in February 2016 and put out to consultation outlining the Government's intention to introduce a number of possible reforms to early exit arrangements across the public sector. The original consultation proposed the introduction of a blanket limit to an exit payment of £95,000 for a public sector worker.
- 2.2 On the 26 September 2016 the Government issued its response to the consultation responses.
- 2.3 Since that time there were indications that a fresh consultation on the draft regulations governing the exit payment cap and exit payment recovery would take place in Autumn 2017.
- 2.4 A Public Sector Exit Payments (Limitation) Bill was introduced in the House of Commons on 5 September 2017 which again indicated that a fresh consultation would take place. This did not happen during 2018 and the Bill is due to have a second reading but the date for this has not been announced. As a result, there continues to be a level of uncertainty regarding the introduction of the regulations.
- 2.5 However, in 2018-19 no exit arrangements were agreed which would have breached the Government's intended exit cap.

3. The Trade Union (Facility Time Publication Requirements) Regulations 2017

- 3.1 The above regulations came into force on the 1 April 2017 and place a legislative requirement on relevant public sector employers to collate and publish, on an annual basis, a range of data on the amount and cost of facility time within their organisation.

3.2 The information requested under these regulations overlaps with that required by the Transparency Code. To better align with the reporting timelines required from these regulations, trade union activity information will be published separately to the pay policy statement.

4. Pension Discretions

4.1 Previously our pay policy statement has included details of some of our pension discretions. Details of our pensions discretions have been removed from this report as they are all contained in a separate policy document.

5.2 It is good practice for pension discretions to be reviewed at specified intervals. Our pension discretions were last reviewed and agreed in February 2016. A paper on our pension discretions will be taken to the Local Firefighters Pension Board in May 2019 and to the Authority meeting in June 2019.

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Item 19/11 Appendix A

Dorset & Wiltshire Fire and Rescue Authority

Draft Pay Policy Statement 2019-20

1. Purpose

- 1.1 This pay policy statement details a number of position statements relating to pay, in particular regarding pay relationships between different staff groupings, and applies to all Dorset & Wiltshire Fire and Rescue Authority (the Authority) employees.
- 1.2 This pay policy statement covers the period 1 April 2019 to 31 March 2020.

2. Context of Dorset & Wiltshire Fire and Rescue Authority

- 2.1 The Dorset & Wiltshire Fire and Rescue Authority is required to deliver statutory services under the Civil Contingencies Act 2004, Crime and Disorder Act 1998, and the Regulatory Reform (Fire Safety) Order 2005 and under the Fire Services Act 2004 it is required to provide the following:
 - 2.1.1 Trained personnel, services and equipment necessary to meet all normal requirements of a fire and rescue service.
 - 2.1.2 Arrangements to deal with calls for help and for summoning personnel and to provide crews with safety information.
 - 2.1.3 Provision to promote fire safety in its area.
 - 2.1.4 Provision to extinguish fire, protect life and property and limit damage in the event of fires in its area.
 - 2.1.5 Provision to rescue people in the event of road traffic collisions in its area.
 - 2.1.6 Arrangements to respond to emergencies where one or more individuals die, are injured or become ill or there is the likelihood of harm to the environment (including the life and health of animals and plants).
- 2.2 The Chief Fire Officer is appointed by the Dorset & Wiltshire Fire and Rescue Authority and is responsible and accountable for the operational and strategic leadership, command and general administration of the Dorset & Wiltshire Fire and Rescue Service.

- 2.3 The Dorset & Wiltshire Fire and Rescue Authority recognises that the fire sector remains in a period of financial constraint, with budgets decreasing, and that there is a need to spend resources available in the best possible way to have the maximum impact on delivering the Authority's aims. Pay is a significant element of the budget and it is important that pay is maintained at levels that are affordable and sustainable and which deliver value for money for local taxpayers.
- 2.4 The Dorset & Wiltshire Fire and Rescue Authority also recognises that there is a legitimate public interest in, and a degree of scrutiny of, the pay and rewards within the fire service, and in particular, the rewards of senior officers.
- 2.5 The statutory function of the Clerk & Monitoring Officer to the Dorset & Wiltshire Fire and Rescue Authority is provided by Dorset County Council and is part of wider support functions provided for the Authority by Dorset County Council under a Service Level Agreement. The cost of the provision for these services for the financial year 2018-19 is £21,560. This is not an additional payment to the officer concerned, but rather for the services provided by Dorset County Council.

3. Definitions

- 3.1 The definition of senior officers in this pay policy statement covers the following members of staff - Chief Fire Officer, Deputy Chief Fire Officer, Director of Community Safety, Director of Service Support, Director of People Services and Head of Financial Services and Treasurer.
- 3.2 The definition of 'lowest paid' employees relates to staff who are on the lowest pay grade of the corporate staff grading structure. The decision to exclude 'on call' competent operational staff has been made because the current variable nature of on call payments means that earnings fluctuate significantly year on year depending on the level of activity. This decision is in line with other local fire and rescue services.

4. Policy Aims

- 4.1 The Authority's approach to remuneration is a means to recruit and retain the talented people needed to maintain and improve the performance of the Service, and to lead the Service through the changes being faced. The amount paid should reflect the local market for comparable jobs and skills. As part of this, the Authority wishes to continue to work towards making sure that pay is fair and non-discriminatory.

5. Pay Reviews

- 5.1 Some elements of pay and a number of core conditions of service are determined by national negotiation and consultation between Local Government Employers and respective trade unions or representative bodies as follows:
 - 5.1.1 Chief Officers are covered by the National Joint Council (NJC) for Brigade Managers (Gold Book).

- 5.1.2 All other uniformed roles, including on call roles, are covered by the NJC for Local Authorities' Fire Brigades (Grey Book).
- 5.1.3 Corporate staff are covered by the NJC for Local Government Services (Green Book).
- 5.2 There are significant benefits for the Authority in using the national negotiating machinery on these elements as it is more cost effective to negotiate nationally than as a series of local negotiations.
- 5.3 Although there are national grades for uniformed roles as mentioned in 5.1.2 above, it is the Authority's decision on how the grading structure is used, whereas for the other two groups outlined in 5.1.1 and 5.1.3, the Authority has the power to determine scales and grading structures to meet its own requirements. The pay elements negotiated nationally relate to the cost of living increase and there remain sound reasons for this process to continue. The Authority intends to maintain this position.
- 5.4 The Gold Book NJC states that there is a two-track approach to determining levels of pay for Brigade Manager roles which are:
 - 5.4.1 The NJC annually reviews the level of pay increase via consideration of affordability, other relevant pay deals and the rate of inflation at the appropriate date.
 - 5.4.2 All other decisions about the level of pay and remuneration to be awarded to individual Brigade Manager roles is taken by the local Fire and Rescue Authority who will review the salary levels on an annual basis.
- 5.5 The Clerk & Monitoring Officer to the Authority undertakes this local review, where comparative national data for brigade managers and local and regional senior local government pay data is analysed, which is then considered by the Appointments Committee. The Clerk & Monitoring Officer has commissioned an impartial HR Consultant to carry out a review of Brigade Manager pay, and an Appointments Committee will be convened to consider the report.
- 5.6 With effect from 1 April 2019, the Deputy Chief Fire Officer will be an operational officer, as a result the DCFO's pay will be raised to reflect 80% of the CFO's salary.
- 5.7 The other members of the Strategic Leadership Team pay are at single spot points.
- 5.8 A schedule of Chief Officers' post specific remuneration will be contained within our statement of accounts.

- 5.9 Pay awards for staff covered by Gold Book terms and conditions take effect from 1 January each year. In respect of the 2018 pay settlement there was a 1.0% increase on 2017 basic salary levels with effect from 1 January 2018, rising to a 2.0% increase on 2017 basic salary levels with effect from 1 July 2018. Pay awards for January 2019 has yet to be determined and communicated.
- 5.10 There was a nationally agreed pay rise of 2% with effect from 1 July 2018 for staff covered by Grey Book terms and conditions. This forms part of on-going pay negotiations. For staff on Green Book terms and conditions, there was a 2% pay rise as part of a two year pay agreement from 1 April 2018 to 31 March 2020.
- 5.11 Pay points for Grey Book staff are 'spot' rates, which relate to operational practice, whereas pay for Green Book staff utilises incremental grades.
- 5.12 The corporate staff grading structure utilises the Greater London Provincial Council job evaluation scheme.

6. Recruitment

- 6.1 In line with the Localism Act, the Authority will be offered the opportunity to vote before salary packages of £100,000 or more per annum are offered in respect of new appointments. It is proposed that the Appointments Committee will consider the salary package prior to recruitment, and the full Authority will vote on the salary package prior to appointment.
- 6.2 Corporate staff on Green Book terms and conditions are normally appointed to a post at the lowest scale point within the grade and progress through the grade is made on an annual incremental basis. On occasion, the reward package for corporate staff determined by the pay and grading system may not be consistent with reward packages offered for comparable posts in the wider labour market, and this may lead to recruitment and retention difficulties impacting on our ability to attract and keep talent. In such circumstances and in accordance with our pay and grading procedure, where there is a clear business need supported by objective market data, and other approaches have proved ineffective, the Service will consider offering the post at a higher scale-point of the grade or propose a market supplement payment in addition to the normal reward package for the post.
- 6.3 Staff on Grey Book conditions of service at levels above firefighter are appointed to a role at competent rate of pay. Staff at firefighter level are initially paid at 'Trainee' rate of pay and then are paid at 'Development' rate of pay until they have successfully completed the development programme and have been deemed 'competent'.
- 6.4 As outlined in 6.2, it is the Authority's policy to pay market supplements only in exceptional circumstances and to follow a clear and consistent framework for the determination of any market supplement payment which:

- 6.4.1 Ensures Dorset & Wiltshire Fire and Rescue Service meets its obligations under equal pay legislation;
- 6.4.2 Maintains the overall integrity of its pay and grading structure; and
- 6.4.3 Allows market supplements to be considered only where a clear and demonstrable business need exists.

7. Allowances/additions to Remuneration

- 7.1 The Authority operates various car schemes. A review of these schemes is currently being carried out for implementation by April 2019.
- 7.2 No professional fees are paid for Brigade Managers or other staff. A corporate fee is paid to the National Fire Chief's Council (NFCC).
- 7.3 Uniformed officers at Station Manager to Area Manager level who work on the flexible duty system are paid a pensionable supplement in accordance with the Grey Book requirements. Area Managers also receive a further allowance in recognition of level 4 strategic command commitment.
- 7.4 Uniformed staff at Area Manager and below receive a Continuous Professional Development payment which is nationally determined, but payment is subject to local procedures.
- 7.5 The Authority does not provide benefits such as private health insurance.
- 7.6 Expenses are paid to all staff at relevant NJC negotiated levels for mileage and subsistence.
- 7.7 In addition to the above elements, there may be occasions when the Authority makes payments that are considered to be a benefit in kind. The following should not be considered an exhaustive list, but provide a flavour of the types of benefits in kind that may be payable to employees and regarded as taxable by HMRC when certain circumstances dictate:
 - Relocation expenses over £8,000
 - Broadband/telephone line rental
- 7.8 Some additions to pay are agreed locally. Examples of these include:
 - Training Instructor allowances
 - Payments for special responsibilities (e.g. technical rescue teams)

8. Transparency and Pay Multiple

- 8.1 The Authority does not intend to pay bonuses or performance related pay to staff during the period 2019-20 and are not intending to introduce a system of 'earn back' pay during this period. The Chief Fire Officer is annually appraised by the Chair of the Authority, and he and the Deputy Chief Fire Officer conduct annual appraisals on the other principal officers. Underperformance or evidence of wrong doing will be dealt with under the relevant procedures.
- 8.2 By following national arrangements, the Authority does not utilise terms of remuneration that could be perceived as seeking to minimise tax payments. The Authority does not intend to introduce any terms of remuneration that could be perceived as avoiding these payments in 2019-20.
- 8.3 There are no chief officers with significant financial responsibility remunerated through 'off-payroll' arrangements.
- 8.4 Pay scales for Grey and Green Book staff are available on the Service website.
- 8.5 Details of the salary and expenses for officers whose remuneration is in excess of £50,000 are published annually in the Statement of Accounts, which is available on the website.
- 8.6 In addition to the information published at 8.4 above, the Authority is working towards full compliance with the Local Government Transparency Code 2015. We currently publish the following information:
- 8.6.1 Our organisation chart covering staff in the top three levels of the organisation, including grade, job title, department and team, permanent or temporary status, contact details, salary in £5,000 brackets, and salary ceiling (the maximum salary for the grade). This includes the salaries of the Chief Fire Officer and Senior Officers.
- 8.6.2 The number of employees whose remuneration was at least £50,000.
- 8.6.3 The responsibilities of all employees whose annual salary was at least £50,000; and
- 8.6.4 Details of bonuses and 'benefits-in-kind' of all senior employees whose salary was at least £50,000.
- 8.7 For the purposes of this statement, the pay multiple is calculated as the ratio between the Chief Officer's earnings and the median average earnings of employees.

- 8.8 Firefighters who are employed on the Retained Duty System (RDS) are regarded as 'on-call' employees. These employees are normally paid a 'retaining fee', and an hourly payment when alerted to an incident in their locality. The retaining fee is 10% of the equivalent wholetime duty system annual salary. As a result, RDS salaries have not been used in the pay multiple as it is felt this data would significantly distort any statistics downwards.
- 8.9 Some 'on-call' staff are paid on a salary scheme. For consistency these staff have also been discounted from the pay multiple calculation.
- 8.10 The calculation is based on total taxable earnings (including benefits in kind) for all employees other than those employed on the retained duty system.
- 8.11 In calculating the pay multiple in accordance with paragraph 8.7, in relation to those employed on Grey Book terms and conditions the ratio is 4.13. In relation to those employed on Green Book terms and conditions that ratio is 5.97. The ratio between the Chief Fire Officer and the lowest paid employee is 8.65.

9. Pensions

- 9.1 The Authority offers, as appropriate, uniformed members of staff membership of either the 2015 Firefighters Pension Scheme, or the Local Government Pension Scheme. Corporate members of staff are entitled to be members of the Local Government Pension Scheme. These schemes operate on a combination of employer and employee contributions, covered by legislation, the details of which are in the public domain.
- 9.2 The Authority have approved policy statements which set out the Authority's position pension regulation discretions.

10. Payments on Ceasing to Hold Office

- 10.1 The following payments are made dependent upon the reason for leaving:
- 10.1.1 Resignation or leave date – Normal salary until the end of notice period
- 10.1.2 Redundancy – In accordance with procedures
- 10.1.3 Redeployment – In accordance with procedure
- 10.1.4 Dismissal with notice - In accordance with procedure
- 10.1.5 Summary Dismissal – Dismissal without notice
- 10.2 The Authority will be given the opportunity to vote on severance payments over £100,000, and the information presented to the Authority will clearly set out the components such as salary paid in lieu, redundancy compensation, pension entitlements, holiday pay and any fees or allowances paid. In 2018-19 there were no severance packages in excess of £100,000.

11. Employment after Retirement/Redundancy

- 11.1 The Authority does not intend to engage any ex-employees as a chief or senior officer under a contract for services during 2019-20.
- 11.2 The Authority has procedures in relation to Flexible Retirement and Reengagement and applies pension or salary abatement to chief or senior officers who are employed or re-employed when they are in receipt of a Local Government Scheme pension or Firefighters' Pension Scheme pension.
- 11.3 The Authority will only re-employ a retired ex-employee of the Service as a chief or senior officer if there are exceptional circumstances where their specialist knowledge and expertise is required for a defined period of time.

12. Guidance that is not applicable to the Dorset & Wiltshire Fire and Rescue Authority

- 12.1 Section 38 (4) of the Localism Act requires the pay policy to include any policy to award additional fees for chief officers for local election duties – no fees are paid to Fire and Rescue Authority chief officers for this.