

**JOINT NEGOTIATING COMMITTEE
FOR
CHIEF OFFICERS OF LOCAL AUTHORITIES**

**CONSTITUTION
CONDITIONS OF SERVICE
SALARIES**

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**CONSTITUTION
CONDITIONS OF SERVICE
SALARIES**

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JOINT NEGOTIATING COMMITTEE FOR CHIEF OFFICERS OF LOCAL AUTHORITIES

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PART ONE - CONSTITUTION

TITLE

- 1 The Committee shall be known as the Joint Negotiating Committee for Chief Officers of Local Authorities (hereinafter referred to as “the Committee”).

SCOPE

- 2 The Committee shall have within their scope any officer of a local authority in England and Wales who
 - 1 is a chief officer designated by the employing authority as the administrative and executive head
 - either* 1 of a separate department
 - or* 2 of a particular function or service
 - which in either case is regarded by the authority as important in relation to the total activities of the authority; or
 - 2 is designated by the authority as a recognised deputy to any chief officer covered by (1) above including an officer of deputy status but whose post may carry a different title.

MEMBERSHIP

- 3 The Committee shall consist of 41 members, appointed as follows:-

Representing local authorities:

Local Government Association 15

Representing officers:

GMB 23
Unison 3
Total 26
- 4 If any of the organisations named in paragraph 3 hereof fail to appoint the number of representatives provided for by the Constitution, such failure to appoint shall not vitiate the decisions of the Committee always providing the quorum referred to in paragraph 13 is met. In the event of any member of the Committee or any sub-committee thereof being unable to attend any meeting of the Committee or of the sub-committee, as the case may be, the organisation represented by such

member shall be entitled to appoint another representative to attend and vote in his/her place.

- 5 A member of the Committee shall automatically retire on ceasing to be a member of the organisation which he/she represents.
- 6 On the occurrence of a casual vacancy, a new member shall be appointed by the organisation in whose representation the vacancy occurs and shall sit until the end of the period for which his/her predecessor was appointed.

FUNCTIONS

- 7 The functions of the Committee shall be to secure the largest possible measure of joint action in respect of the salaries and service conditions of officers within the scope of the Committee; and to seek to resolve any differences between a local authority and its officers which may be referred to the Committee, in accordance with procedures to be determined by the committee from time to time.

PROCEDURE

- 8 Sub-Committees The Committee may appoint from their own members such sub-committees as they may consider necessary and with such authorities as they may from time to time determine. The reports of all sub-committees shall be submitted to the full Committee.
- 9 Chair and Vice-Chair The Committee shall appoint annually a Chair and Vice-Chair. When the Chair is a member of the Authorities' Side, the Vice-Chair shall be appointed from the Officers' Side and vice versa. The Chair shall be held in alternate years by a member of the Authorities' Side and a member of the Officers' Side. The Chair, or in his/her absence, the Vice-Chair, shall preside at all meetings of the Committee. In the absence of both the Chair and Vice-Chair at any meeting, a chair shall be elected to preside. In no case shall a Chair have a second or casting vote.
- 10 Officers The Committee shall appoint joint secretaries and a treasurer.
- 11 Meetings Meetings of the Committee shall be held as often as may be necessary, and the Chair shall call a special meeting if so requested by one-third of either side of the Committee. The notice summoning any special meeting shall state the nature of the business proposed to be transacted thereat, and no other matters shall be discussed. A special meeting shall take place within fourteen days after the request has been received.
- 12 Voting The voting in the Committee and in sub-committees shall be by show of hands or otherwise as the Committee or sub-committee, as the case may be, shall determine. No resolution shall be regarded as carried

unless it has been approved by a majority of the members entitled to vote present on each side of the Committee or sub-committee, as the case may be.

- 13 Quorum The quorum of the Committee shall be 10, consisting of 4 representatives of local authorities and 6 of the officers. In the absence of a quorum the Chair shall vacate the chair, and the business then under consideration shall be the first business to be discussed either at the next ordinary meeting or at a further special meeting to be held within fourteen days after the date fixed for the first special meeting, as the case may be. The quorum of a sub-committee shall, subject to any directions given by the Committee, be determined by the sub-committee.
- 14 Notices of meetings All notices of meetings of the Committee and of any sub-committee thereof shall be sent to the respective members at least seven clear days before the date of the meeting.

FINANCE

- 15 The expenses of the Committee, excluding any necessary travelling or subsistence expenses incurred by the members, shall be shared equally by the two sides.

ARBITRATION

- 16 In the event of a dispute over terms and conditions of employment arising between the two sides of the Committee on any matter of general application to staff or of application to particular classes of staff, the dispute shall, at the request of either side, be reported to the Advisory, Conciliation and Arbitration Service by the Joint Secretaries with a request that the matter be referred for settlement by arbitration. The arbitration award shall be accepted by the two sides, and shall be treated as though it were an agreement between the two sides.

AMENDMENTS TO CONSTITUTION

- 17 Alterations in the Constitution of the Committee shall be made as follows:
 - 1 in paragraph 3 of this Constitution any change to the organisations represented on each Side, shall be a matter for each Side to determine.
 - 2 all other clauses can only be changed with the assent of both Sides.

PART TWO - CONDITIONS OF SERVICE

GENERAL

- 18 Except where other terms and conditions are referred to in this scheme officers shall enjoy terms and conditions not less favourable than those accorded to other officers employed by the council.

QUESTIONS OF INTERPRETATION

- 19 Any questions concerning the interpretation of the paragraphs of this booklet shall be referred to the Joint Secretaries who if necessary, may agree to refer it to the Joint Negotiating Committee for determination.

PERIODS OF NOTICE TO TERMINATE EMPLOYMENT

- 20 The period of notice on either side will normally be three months, but this can be changed by mutual agreement.

EXPENSES

- 21 The council shall pay reasonable out-of-pocket expenses actually incurred.

PUBLIC HOLIDAYS

- 22 Officers shall, irrespective of length of service, be entitled to a holiday with a normal day's pay for each of the statutory, general and public holidays as they occur.

ANNUAL LEAVE

- 23 Annual leave and holiday arrangements are at the discretion of the local authority subject to a minimum entitlement of 30 working days including annual and long service leave, extra-statutory and local holidays.

MATERNITY SUPPORT LEAVE

- 24 Maternity support leave of 5 days with pay shall be granted to the child's father or the partner or nominated carer of an expectant mother at or around the time of birth. A nominated carer is the person nominated by the mother to assist in the care of the child and to provide support to the mother at or around the time of the birth.

TIME OFF FOR MEDICAL SCREENING

- 25 Necessary paid time off will be granted for the purpose of medical screening.

ADOPTION LEAVE

- 26 Authorities are recommended to introduce adoption leave schemes for employees adopting children.

SPECIAL LEAVE

- 27 Additional leave with or without pay, may be granted in special circumstances at the discretion of the employing authority.

LEAVE FOR JURY SERVICE

- 28 An officer receiving a summons to serve on a jury shall be granted leave of absence therefor unless exemption is secured.

An officer serving as a juror shall claim the allowance for loss of earnings to which he/she is entitled under the Jurors' Allowances Regulations currently in force. The employing authority shall then deduct from the officer's full pay an amount equal to the allowance received.

LEAVE FOR MEETINGS OF THE JNC OR PUBLIC BODIES

- 29 Authorities should consider granting in appropriate cases paid leave of absence (i) to officers attending meetings concerned with national affairs or (ii) to enable officers to undertake duties consequent upon membership of public bodies (including service as a magistrate).

SICKNESS SCHEME

- 30 The scheme is intended to supplement Statutory Sick Pay and Incapacity Benefit so as to maintain normal pay during defined periods of absence on account of sickness, disease, accident or assault.
- 31 Absence in respect of normal sickness is entirely separate from absence through industrial disease, accident or assault arising out of or in the course of employment with a local authority. Periods of absence in respect of one shall not be set off against the other for the purpose of calculating entitlements under the scheme.
- 32 Officers are entitled to receive sick pay for the following periods:

During 1st year of service	1 month's full pay and (after completing 4 months service) 2 months half pay
During 2nd year of service	2 months full pay and 2 months half pay
3rd year of service	4 months full pay and 4 months half pay
During 4th and 5 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

Authorities shall have discretion to extend the period of sick pay in exceptional cases.

- 33 The period during which sick pay shall be paid, and the rate of sick pay, in respect of any period of absence shall be calculated by deducting from the officer's entitlement on the first day the aggregate of periods of paid absence during the twelve months immediately preceding the first day of absence.
- 34 In the case of full pay periods sick pay will be an amount which when added to Statutory Sick Pay and Incapacity Benefit receivable will secure the equivalent of normal pay.
- 35 In the case of half pay periods sick pay will be an amount equal to half normal earnings plus an amount equivalent to Statutory Sick Pay and Incapacity Benefit receivable, so long as the total sum does not exceed normal pay.
- 36 Normal pay includes all earnings that would be paid during a period of normal working, but excluding any payments not made on a regular basis.
- 37 The social security benefits to be taken into account for the calculation of sick pay are those to which an officer is entitled on the basis that the officer has satisfied as far as is possible:
 - 1 the conditions for the reporting of sickness as required by the authority;
 - 2 the claiming of benefits;
 - 3 the obligation to declare any entitlement to benefits and any subsequent changes in circumstances affecting such entitlement.

- 38 An officer who is prevented from attending work because of contact with infectious disease shall be entitled to receive normal pay. The period of absence on this account shall not be reckoned against the officer's entitlements under this scheme.
- 39 If an officer abuses the sickness scheme or is absent on account of sickness due or attributable to deliberate conduct prejudicial to recovery or the officer's own misconduct or neglect or active participation in professional sport or injury while working in the officer's own time on their own account for private gain or for another employer sick pay may be suspended. The authority shall advise the employee of the grounds for suspension and the employee shall have a right of appeal to the appropriate committee of the authority. If the authority decide that the grounds were justified then the officer shall forfeit the right to any further payment in respect of that period of absence. Repeated abuse of the sickness scheme should be dealt with under the disciplinary procedure.

MATERNITY PROVISIONS

- 40 1 Chief Officers shall enjoy terms and conditions not less favourable than those accorded to other officers employed by the Council.
- 2 Any pregnant officer has the right to paid time off to attend for antenatal care and must produce evidence of appointments if requested to do so by her employer.

CONTINUOUS SERVICE IN LOCAL GOVERNMENT AND RELATED EMPLOYMENT

- 41 1 For the purposes of the Sickness and Maternity Schemes of the Conditions of Service previous continuous service will include service with any public authority to which the Redundancy Payments Modification Order 1983 applies. This provision should also apply where any authority takes previous continuous service into account in determining annual leave and the period of notice to terminate employment.
- 2 Where an officer is made redundant by an organisation to which the Redundancy Payments Modification Order applies and subsequently returns to the local government service there shall be entitlement to have previous service taken into account in respect of the provisions set out in (1) above provided this break in service does not exceed two years, regardless of whether there has been other paid employment in the meantime.
- 3 Where an officer returns to the local government service following a break for maternity reasons she will be entitled to have previous service taken into account, in respect of the

provisions set out in (1) above except annual leave, provided that the break in service does not exceed eight years and also provided that no permanent full-time paid employment has intervened. For the purposes of the calculation of entitlement to annual leave the eight-year time limit does not apply, provided that no permanent full-time paid employment has intervened.

HONORARIUM PAYMENTS

- 42 A council may consider granting an honorarium (of an amount dependent upon the circumstances of each case) to an officer within purview of this Committee who performs duties outside the scope of his/her post over an extended period.

RELOCATION EXPENSES

- 43 In the case of officers being relocated it is the practice of some authorities to contribute towards the approved costs of removal expenses and of other incidental expenses reasonably attributable to the removal; it would be in the best interests of local government and facilitate movement of officers if this practice were more widely followed.

APPEALS AGAINST THE SALARY SCALE ATTACHING TO A POST

- 44 A model procedure is set out at Annex 4.

PUBLICITY REGARDING SALARIES AND PROMOTION

- 45 Employing authorities should include in their Standing Orders a model Standing Order as follows:-

“If any question arises at a meeting of a council or of a committee to which the Public Bodies (Admission to Meetings) Act 1960 applies by virtue of section 2(1) (as modified by the Local Government Act 1972), as to the appointment, promotion, dismissal, salary, super-annuation, or conditions of service, or as to the conduct of any person employed by the council, such question shall not be the subject of discussion until the council or committee, as the case may be, has decided whether or not the power of exclusion of the public under section 1(2) of the Public Bodies (Admission to Meetings) Act 1960 shall be exercised.”

- 46 Employing authorities should be aware of their obligations under the Accounts and Audit Regulations 1996 SI590, Local authorities are under a duty to reveal final salaries and audited accounts relating to those posts remunerated at £40,000 and above, including allowances and other taxable benefits. This should be provided in bands of £10,000. Individual officers/posts should not be expressly identified.

PERFORMANCE APPRAISAL

- 47 Chief officers' responsibilities and accountabilities should be set out in writing at the appointment stage. Where this has not been done at the appointment stage it should be agreed with the individual officer concerned prior to the implementation of the performance appraisal scheme. Subsequently, there should be an annual process of performance appraisal linked to those responsibilities and accountabilities.
- 48 The performance appraisal process is separate from any scheme relating to either pay or performance related pay.
- 49 The performance appraisal process should involve the setting of both general and specific objectives for the year ahead and the review of performance in achieving previously set objectives. The focus of the process should be on clarifying what the chief officer will be expected to achieve and on identifying any continuing personal development needs to maintain a high level of performance.
- 50 The authority will provide training for all parties involved in the process, including elected members if involved.
- 51 The setting of objectives should be by consensus between the chief officer and his/her line manager, and/or the chief executive, and if desired a nominated elected member representing committees to which the officer reports. The result of the performance appraisal process will be to identify agreed objectives that are relevant and challenging but achievable and realistic in the light of available resources and time. (Joint Secretaries guidance on appraisal of chief officers is set out in full at Annex 1)

RESTRICTIONS ON RE-EMPLOYMENT

- 52 After termination of the Chief officer's employment he/she:
 - 1 will not divulge any information to any third party which is confidential to the authority.
 - 2 will not, without the consent of the authority, which will not unreasonably be withheld, within a period of 12 months take up employment with or provide services for reward to any body:
 - 1 if during the chief officer's last two years of employment with the authority the officer has been directly involved in transactions with that body for which the offer of employment or provision of services could reasonably be regarded as a reward

- 2 which is likely to benefit from commercially sensitive information which is known to the chief officer by virtue of his/her past employment by the authority.

- 53 These provisions would not apply if the termination of employment with the local authority arose as the result of redundancy or the externalisation of work and consequent transfer to a new employer.

OFFICIAL CONDUCT

- 54 The public is entitled to demand of a local government officer conduct of the highest standard.
- 55 An officer's off-duty hours are his/her personal concern but he/she should not subordinate his/her duty to his/her private interests nor put himself/herself in a position where his/her duty and his/her private interests conflict, or where public confidence in the conduct of the authority's business would be weakened.
- 56 Officers within purview of this Committee shall devote their whole-time service to the work of the council and shall not engage in any other business or take up any other additional appointment without the express consent of the council.
- 57 An officer shall not be required to advise any political group of the council, either as to the work of the group or as to the work of the council, neither shall he/she be required to attend any meetings of any political group. This shall be without prejudice to any arrangements to the contrary which may be made in agreement with any officer and which includes adequate safeguards to preserve the political neutrality of the officer in relation to the affairs of the council.
- 58 No officer shall communicate to the public the proceedings of any committee meeting nor the contents of any document relating to the authority which in either case is regarded by the authority as confidential unless required by law or expressly authorised to do so.
- 59 If it comes to the knowledge of an officer that a contract in which he/she has any pecuniary interest, whether direct or indirect (not being a contract to which he/she is himself/herself a party), has been or is proposed to be, entered into by the authority, he/she shall, as soon as practicable, given notice in writing to the chief executive of the authority of the fact that he/she is interested therein. (Attention is drawn to the provisions of the Local Government Act 1972 Section 95 and 117).
- 60 Information concerning an officer's private affairs shall not be supplied to any person unless the consent of such officer is first obtained.

PART THREE - SALARIES

NATIONAL SALARY STRUCTURE

- 61 The salary ranges set out at Annex 2 constitute a national framework for local determination, in the light of local circumstances, of each chief officer's remuneration package. The ranges shown are "benchmarks" intended to act as reference points which would be taken into account by local authorities in determining each chief officer's salary. They do not take account of any special market factors. They do not assume the appointment is fixed term, nor are they performance related. The working assumption of the JNC is that most local authorities will pay all or most of their chief officers within a range appropriate to their type of authority and population. This does not preclude however salaries being determined either above or below the range where the local authority has taken into account all the factors set out in the joint advice on implementation at Annex 3.

RETURNING OFFICER, ETC

- 62 Officers shall be entitled to receive and retain the personal fees arising from such of the duties of returning officer, acting returning officer, deputy returning officer or deputy acting returning officer as they perform, subject to the payment of superannuation contributions thereon where appropriate.

PART FOUR - DISCIPLINE, CAPABILITY AND REDUNDANCY

- 63 In general, informal conciliation is to be preferred to formal procedures if it can bring about a mutually agreed solution to the problems that have arisen. Such solutions should make it clear what specific changes in behaviour and/or performance are expected and within what timescales.
- 64 The Joint Secretaries (or their representatives) are available at any stage in the procedures to act in an impartial conciliation role, whether formal or informal if required to do so by the local parties.
- 65 The principles of natural justice and good management practice must govern the conduct of any proceedings against a chief officer on the grounds of either alleged misconduct (i.e. 'discipline') or an alleged inability to carry out their role (i.e. 'capability'). Authorities should have full regard to the principles and standards set out in the ACAS Code of Practice on Disciplinary Procedures. The following principles, which are consistent with ACAS guidance on good practice, should be used as the framework for developing a more detailed local process. Where authorities already have local procedures agreed for this group of staff they must ensure their procedures operate in a manner consistent with the following principles.

Notes 1 Any authority employing a chief officer as head of the paid service should have regard to the legal requirements regarding discipline imposed by the Local Government and Housing Act 1989. Authorities in this position should refer for guidance to paragraph 16 of the Conditions of Service for Chief Executives.

2 Those authorities wishing to incorporate the role of an independent third party, in an advisory or decision making capacity, may refer for guidance to paragraph 16 in the Chief Executives Condition of Service. This may be specifically appropriate where the officer holds a post with statutory accountabilities.

OBJECTIVES OF A DISCIPLINARY PROCEDURE

- 66 A disciplinary procedure will:
1. encourage employees to achieve and maintain standards of behaviour;
 2. provide a fair and consistent method of dealing with alleged failure;
 3. remind managers and supervisors how disciplinary matters should be handled;
 4. minimise disagreements about disciplinary matters;
 5. reduce the need for dismissals.
- 67 What form will it take?

The procedure should be tailored to the needs of the local authority, but it must:

1. be in writing;
2. not discriminate on grounds of gender, race, age, nationality, sexuality or disability;
3. specify to whom it applies;
4. explain the potential penalties;
5. deal with matters quickly;
6. give employees the right to be accompanied by a trade union representative or friend (subject to an individual's prior involvement);
7. give employees, and /or their representative, the right to put their side of the case, and to call witnesses;
8. specify who has the authority to take disciplinary actions;
9. ensure that action is not taken without careful investigation;
10. provide a right to appeal;
11. give clear details of time scales and any deadlines associated with the various stages of the procedure.

MODEL PROCEDURE

(PRE-HEARING ACTION) PRELIMINARY INVESTIGATION

- 68 The purpose of a preliminary investigation is to determine if a question of discipline exists which, if established, could not be resolved informally, e.g. though an unrecorded informal warning.
- 69 Ensure all parties, e.g. the chief executive/elected members, who are required to use the process, are fully trained in its operation.
- 70 Before progressing to a formal Investigating Committee hearing, the council will need to be certain that:
 1. the chief officer has been notified, preferably in writing, of the allegations which are being investigated and given the opportunity to make representations on their behalf;
 2. the matter cannot be resolved through informal counselling;
 3. the individual has been interviewed by the appropriate manager and afforded right to be represented by their trade union or accompanied by a fellow employee of their choice. Care must be taken not to compromise individuals who may be interviewed at a subsequent stage in this procedure;
 4. it has been determined whether or not suspension is appropriate.
- 71 Where the preliminary investigation determines that there is a potential case to answer, an Investigating Committee will be established. The Investigating Committee should include no fewer than three elected members and should not include any member or officer with at direct personal involvement in the complaint or who participated in the preliminary investigation.

SUSPENSION

- 72 Where the chief officer's continuing presence at work compromises the investigation or impairs the efficient exercise of the Council's functions, the chief officer may (subject to whatever consultation or approval may be required under the authority's standing orders) be suspended from duty. The Council, or appropriate committee or the chief executive, acting under delegated powers, may carry out such suspension on full pay. Written notice stating the reasons for any such suspension shall be given at the earliest opportunity possible.
- 73 The necessity for the chief officer to remain suspended should be reviewed at regular intervals and where possible lengthy periods of suspension should be avoided.

THE DISCIPLINARY HEARING

- 74 The chief officer will receive not less than ten working days written notice of the Investigating Committee's meeting. Before the meeting the chief officer has the right, if so requested, within a reasonable time, (i) to receive further details of the complaint made and/or (ii) to a postponement of the meeting for a jointly agreed period not exceeding 14 days. The chief officer may circulate a written statement to the Investigating Committee before the hearing.
- 75 At the meeting, make sure that:
1. the employee concerned knows the details of the allegation;
 2. he or she has the opportunity to put his or her side of the matter.

The Investigating Committee can:-

1. exonerate the chief officer;
2. state their opinion as to whether (and if so the extent to which) the evidence they have obtained supports any allegation of misconduct against the chief officer;
3. determine the disciplinary action (if any) or range of actions which appear appropriate to take against the chief officer. The appropriate course of action will be drawn from the following list:-
 1. recorded oral warning;
 2. written warning;
 3. suspension on half pay or no pay for a specified period;
 4. relegation (i.e. a reduction in salary) for a specified period;
 5. an invitation to resign or accept retirement;
 6. dismissal with notice.

The final decision will be given to the chief officer in writing at the earliest opportunity following the hearing.

If a warning is given, it should tell the employee:

1. the level of improvement required;
2. the date by which it is to be achieved;
3. what will happen if it is not;
4. how to appeal.

Alternatively the Panel may explore other alternatives, e.g.

1. early retirement;
2. secondment;
3. redeployment to a more junior post where there are issues relating to capability.

GROSS MISCONDUCT

- 76 When a case appears to be one of gross misconduct, normally the chief officer should (subject to whatever consultation or approval may be required under the authority's standing orders) be suspended from duty on full pay. The procedure for the investigation will be as set out above.

APPEAL PROCESS

- 77 It is consistent with good practice to establish a procedure for the chief officer to appeal against the outcome of the Investigating Committee hearing. In this context it is suggested that the chief officer is allowed a full right of appeal to either the council itself or another committee. The procedure for an appeal hearing should follow the model above. Members who participated in the previous investigation may attend to give evidence but must be excluded during the consideration of the decision of the council or committee.

Note At the appeal stage those authorities wishing to incorporate the role of an independent third party should see the earlier note at paragraph 65.

CAPABILITY

- 78 Where appropriate, a preliminary investigation, as detailed in paragraph 68, should be undertaken where there is any question or complaint regarding the capability of a chief officer.

Note The procedure for capability may need adaptation where medical fitness is in question. Authorities should bear in mind the advantage of a third medical opinion where their own medical adviser and that of the chief officer are not in agreement.

- 79 If the Chief Executive or other person undertaking the preliminary investigation concludes that there is a question of substance as to the chief officer's capability, he should advise the chief officer informally of the nature of that question. There should be a full discussion covering:
1. The reason for incapability;
 2. Problem areas;
 3. What needs to be done to improve performance, including any opportunities for training the chief officer;
 4. Time frames over which improvements should be shown;
(Unless there has been a previous warning or there is evidence of serious incapability which is not likely to be remedied within a reasonable time);
 5. When it is felt that there is no prospect of improving the chief officer's performance a satisfactory outcome may be achieved by the chief officer undertaking actively to seek other employment, resigning or accepting retirement.
- 80 At capability hearings an officer subordinate to the chief officer may give evidence of fact. Where the parties disagree on technical or professional matters it may be useful to refer to an appropriately qualified independent third party.
- 81 Any time period should be sufficient to allow a reasonable opportunity for the chief officer to show either an improved performance or that the conclusion of the preliminary investigation was mistaken.

REDUNDANCY

- 82 Employing authorities should consult with any chief officer affected at the earliest possible stage when there is a suggestion that the chief officer's post might be abolished or proposed for abolition.
- 83 If after such consultation a proposal is formulated to abolish the chief officer's post, the procedure of Section 188 of the Trade Union and Labour Relations (Consolidation) Act 1992, requiring consultation with trade unions, should be followed, the required statutory information being sent to the chief officer and to each independent trade union recognised by the employers for collective bargaining purposes for the chief officer. A period of not less than twenty-eight days should be allowed for the statutory consultation process. The chief officer and a trade union representative should also be afforded an opportunity of making oral representations to the Committee or Council meeting concerned before a final decision is made.

- 84 If following such consultations the authority decide that the post must nevertheless be abolished, the officer should be offered any suitable alternative employment that may be available or which may become available in consequence of the re-organisation giving rise to the abolition of the chief officer's post.
- 85 The authority should also bear in mind the possible application of discretionary powers of premature retirement, and permissible enhancement of benefits or redundancy payments, and the possibilities of providing an alternative post or of extending the period of notice to assist the chief officer in finding other employment.

JOINT SECRETARIES' GUIDANCE ON THE APPRAISAL OF CHIEF OFFICERS

Introduction

1. This document has been developed by the Joint Secretaries to assist local authorities when implementing a performance appraisal system for officers whose conditions of service relate to the JNC for Chief Officers of Local Authorities. In this context it should be read in conjunction with the paragraphs relating to performance appraisal in the conditions of service (See paragraphs 46 to 50).
2. This guidance is intended for use by a chief officer, the Chief Executive or line manager, and where applicable a nominated elected member representing committees to which the officer reports. The focus of this process should be on clarifying what the chief officer is expected to achieve and on identifying any continuing personal development needs which, if met, would maintain a high level of performance. The process of setting objectives should be by agreement and the result should be to identify objectives which are relevant and challenging but achievable.
3. The process should not become complex. At all times it needs to focus clearly on a few basic issues: what the chief officer's job is; what has been done well; what could have been done better; the major issues over the next year; and what development needs the process identifies.

Responsibility for Appraisal

4. The responsibility for appraising a chief officer lies with their line manager and/or the Chief Executive, and if desired an elected member representing any committees to which the chief officer reports.
5. Those conducting the appraisal need to bear in mind at all times that the chief officer is employed by the council as a whole, not by the controlling group, and is required to serve all of the council.

The Purpose of the Appraisal

6.
 1. To identify and clarify the key objectives, priorities and targets of the council, with specific reference to the officer's service area, over the next (twelve) months.
 2. Agree what the chief officer should personally achieve over the next (twelve) months and identify standards of performance, in order to deliver the council's key objectives, priorities and targets. These targets

should be realistic and achievable in the light of available resources and time. Standards of performance should be expressed in ways that can be monitored objectively. The parties should identify the resource implications of the agreed objectives.

3. Discuss positive achievements over the past (twelve) months and identify reasons for good performance.

4. Discuss instances over the past (twelve) months where targets have not been met, jointly identifying factors preventing the achievement of agreed goals.

5. Discuss development requirements. A chief officer will have strengths and weaknesses and the parties should identify the professional development necessary to equip him or her with the requisite skills to meet the council's objectives. The parties should be proactive and anticipate future development needs in the context of the council's changing priorities. This discussion could lead to the design of a formal programme of continuing professional development (CPD). Equally this discussion may lead to agreement on changes to the working relationship between the line manager, elected members and the chief officer. It should not be assumed that it is only the chief officer who may need to adjust his/her approach to the working relationship.

Appraisal and the Council's Forward Plan

7. Appraisal should be set in the context of the council's objectives, priorities and targets, generally expressed in the forward plan or equivalent. Appraisal targets when taken as a whole should be related to agreed targets for the council as a whole.

The Appraisal Cycle

8. Appraisal should take place on a predetermined date, at least annually, backed up by monitoring meetings on a regular basis at which targets can be reviewed for continuing relevance. A formal system of appraisal should not prevent continuous discussion regarding progress and performance.

The key elements of the appraisal process

9.
 1. Continuous two way monitoring of performance against objectives
 2. Preparation for an appraisal interview
 3. An appraisal interview where recent and current performance, future objectives and development needs are discussed

4. Agreement should be reached on action required from either party to ensure required performance is achievable.
5. The process of informal discussion regarding performance should continue

The Appraisal Interview and Afterwards

10.
 1. All parties should be well informed and prepared for the interview
 2. The process should be two way
 3. The interview should be free from interruptions and notes taken when necessary. An agreed written record of key points should be produced at the conclusion of the process.
 4. The parties should concentrate as far as possible on established facts rather than unsubstantiated opinions
 5. Targets should be agreed which are achievable and realistic in the light of available resources including time, and are capable of being monitored.
 6. Any agreed development plans should be implemented within agreed timescales. The support and resources, including time, necessary to meet targets should be identified.
 7. The chief officer should be given a reasonable opportunity to correct any shortfalls in performance.
 8. A date for the next review should be agreed

External Assistance

11. External assistance in facilitating the appraisal process can be helpful in providing an independent perspective. Within the local government family, it may be sought from:
 1. The Regional Directors - Addresses and telephone numbers supplied on request
 2. The Employer's Secretary at the Employers' Organisation
 3. The Officers' Side Secretary at MPO, Terminus House, The High, Harlow, Essex CM20 1EF

Such assistance may take the form either of suggesting the names of recently retired senior officers or other independent people. A fee may be requested to cover staff time.

Alternatively such assistance may be available from commercial services such as consultancy firms.

Other Matters

12. The content of appraisal interviews should be treated as confidential to the participants. However, it may be useful to report to an appropriate committee meeting that an appraisal interview has taken place.

Joint Secretaries

ANNEX 2

BENCHMARKS SALARY RANGES

WITH EFFECT FROM 1 JULY 2001

Population	Districts		Counties		Mets/U.A.s/LBs	
	£	£	£	£	£	£
50,000	31,900	48,100				
100,000	36,200	53,800			41,100	67,000
150,000	44,700	60,700			44,700	69,800
250,000					46,000	73,700
500,000			59,200	77,800	61,600	82,500
750,000			66,400	87,100	66,400	91,700

**ADVICE ON THE IMPLEMENTATION OF THE NATIONAL SALARY
STRUCTURE**

1. When determining the appropriate level of salaries the authority should initially refer to the most relevant benchmark range in terms of population size and authority type.
2. Normally the authority will wish to begin by determining appropriate salaries for their most senior chief officers.
3. When deciding where, in relation to the range, these posts should be remunerated the following factors are to be considered:
 1. the chief executive's salary and that of senior staff not covered by the Chief Officers' JNC;
 2. the relationship of current salary to the appropriate illustrative national benchmark(s);
 3. any special market considerations;
 4. any substantial local factors not common to authorities of similar type and size, e.g. London weighting;
 5. comparative information to be supplied on request by the Joint Secretaries on salaries in other similar authorities;
 6. top management structures and the size of the management team compared to those of other authorities of similar type and size; and
 7. the relative job size of each post, as objectively assessed through job evaluation or otherwise.

Determining Individual Salaries

4. All local authorities will need to review their JNC structure to determine the appropriate level of remuneration for each JNC post within their structure including local authorities where local reviews have taken place.
5. In 1985, the JNC adopted a modified version of the HAY job evaluation scheme which is available for those authorities who wish to use it to facilitate a review of their senior posts or to determine the appropriate salary levels to be applied to their chief executive, chief officers and deputies under the terms of the national agreement. Further details of

the advice available can be obtained by writing to the Authorities' Side Secretary of the JNC.

6. However if the authority does not wish to use this approach the following guidance should be considered.

1. Salaries within or below the lower sector of the range will normally be appropriate for a chief officer who for example:-

1. manages a small function with relatively little impact on the whole community or council, and/or with strong national direction

or

is head of small service within a larger strategic directorate

and 2. is directly accountable for a relatively small budget

or

has a remote impact on a larger service or corporate budget

and 3. is not a member of the corporate/strategic management team

2. Salary scales within the middle sector of the range will normally be appropriate for a post which:

1. manages a small function with a critical impact upon the community or council

or

manages a support service critical to the whole authority but reports to a director/chief officer as well as members

and 2. is directly accountable for a relatively large service budget, reporting to a director/chief officer in addition to members

or

makes a strong contributory impact on the corporate budget of the authority and reports to a director/chief officer in addition to members

and is required to make a regular contribution at corporate/strategic management team meetings.

3. Salary levels within or above the upper portion of the relevant benchmark range will normally be appropriate where a post:

1. manages a large function with critical and widespread impact upon the community or council and reports direct to the chief executive or members

or

manages a relatively large integrated department encompassing diverse services and reports direct to chief executive or members and is directly accountable for a relatively large service budget reporting to chief executive or members

or

has a strong contributory impact on the corporate budget of the authority reporting to chief executive or members

and iii) is a full member of the corporate/strategic management team of the local authority.

7. It should be noted that the salary benchmarks take account of the fact that the job of the chief officer cannot be satisfactorily undertaken within a fixed working week and that some element of unsocial hours will be required for the proper performance of the responsibilities. Where, however, the circumstances and working arrangements of the authority necessarily commit a chief officer to a significant volume of work outside normal office hours the authority should take this into account in determining the inclusive salary.

APPEALS AGAINST THE SALARY SCALE ATTACHING TO A POST

Model Procedure

1. An employee who wishes to appeal against the grading of his/her job must submit the claim in writing to the authority setting out the grounds for the application.
2. As a first step, the appeal should be discussed with the officer, a representative of management and his/her union representative as soon as possible. If a job evaluation scheme is used then a representative of the department responsible for maintaining the scheme should also be present.
3. If the appeal is not settled and/or withdrawn, the first stage of the formal appeal must commence within a timescale agreed at local level.
4. The appeal should be heard by a panel at authority level. The panel will consist of representatives from elected members and/or management and could include representatives from the locally recognised trade unions. An independent person may be appointed to chair the panel.
5. The decision of the panel is final.
6. The JNC recommends that appeals should be dealt with within three months of being submitted.
7. Nothing in this procedure shall prejudice the legal rights of the employee and the employer.

Joint Negotiating Committee for Chief Officers of Local Authorities

**To: Chief Executives in England and Wales
(with copies for the Chief Personnel Officer & Treasurer)
Members of the Joint Negotiating Committee
Regional Directors
Local Authority Associations' Secretaries**

19 November 2007

Dear Chief Executive

CHIEF OFFICERS' PAY 2007/8

1. Settlement 2007/8

This circular sets out the recent agreement for all officers within the scope of this JNC for Chief Officers, with effect from 1st April 2007.

Salary Scales

1. All individual salaries and salary scales will be increased by 2.475% from 1st April 2007.
2. That element of the agreement that exceeds 2% is in recognition of local government consistently producing the most substantial efficiency gains within the public sector whilst maintaining high standards of service delivery and that this is largely attributable to the valuable efforts of the workforce. This excellent performance will require full cooperation from employees and unions to ensure that those efforts continue and are sustained if local government is to achieve the Government's 3% cashable efficiency gains target (and equivalent requirements in Wales) and realise ongoing improvements in the standards of service delivery expected of the sector.
3. The importance of achieving these objectives is highlighted by the likely funding available from the Comprehensive Spending Review settlement for 2007-2010 and the ongoing responsibility to deliver service improvements that benefit the communities we serve and represent excellent value for money for councils and local taxpayers alike.

Employers' Secretary: Sarah Messenger
Local Government Employers,
Local Government House, Smith Square, London SW1P 3HZ
Tel: 020 7187 7373 email: sarah.messenger@lge.gov.uk

Officers' Side Secretary: Brian Strutton
GMB,
22/24 Worple Road, London, SW19 4DD
Tel: 020 8947 3131 email: brian.strutton@gmb.org.uk

4. This additional investment in local government's highly valued workforce must continue to be justified as the sector strives to meet the important and ever-changing challenges it faces.

2. Local Salary Structure

1. At **Annex 1**, you will find the results of the April 2006 Chief Officer salaries survey, researched by the Employers in the sector on an agreed basis – median actual salaries for chief officers in different types of authority and for different populations. Once the results of the 2007 salaries & numbers survey are finalised, the Joint Secretaries will produce a further circular illustrating the actual average and maximum salary data for chief officers as at 1.4.07.
2. The table is published to inform the local parties - not as recommended salaries. The working assumption of the JNC is that local authorities will pay their officers an appropriate salary having taken into account all the factors set out in the joint advice on implementation dated 20 May 2004.
3. Further copies of this circular are available from the Local Government Employers by email: Debbie.Carvalho@lge.gov.uk Advice on any aspect of this agreement is available from the appropriate Side Secretary.

The Joint Secretaries are to issue a further circular, outlining changes to the JNC conditions of service for chief officers in the form of a revised model procedure and guidance document relating to redundancy, capability and discipline - together with an updated copy of the JNC conditions.

Yours faithfully

SARAH MESSENGER
BRIAN STRUTTON

Joint Secretaries

Median Actual Salaries – Chief Officers’ Survey 2006

CHIEF OFFICERS/DIRECTORS Median Actual Salaries 2006

	Districts		Counties		Mets./UAs/LBs	
Population Band	Median Population	Median Actual Salary	Median Population	Median Actual Salary	Median Population	Median Actual Salary
0 - 99,999	82,000	64,847	-	-	69,000	78,880
100,000 - 249,999	121,000	70,353	-	-	187,000	97,992
250,000 - 499,999	-	-	446,600	103,995	286,000	104,895
500,000 +	-	-	747,500	107,537	723,000	109,959

Joint Negotiating Committee for Chief Officers of Local Authorities

**To: Chief Executives in England and Wales
(with copies for the Chief Personnel Officer and Treasurer)
Members of the Joint Negotiating Committee
Provincial/Associated Joint Secretaries
Local Authority Associations' Secretaries**

20 May 2004

Dear Chief Executive

CHIEF OFFICERS' PAY AND TERMS & CONDITIONS

1. LOCAL SALARY STRUCTURE

Joint Secretarial advice is attached on establishing a local salary structure as a result of the agreement to move from benchmark to median salaries, which formed part of the Chief Officers' agreement 2002. This advice replaces the Annex 3 advice contained within the JNC for Chief Officers of Local Authorities handbook.

You will also find attached the actual median salaries table relating to Chief Officers to which the above advice refers at Annex 2.

An updated version of the handbook will be produced and dispatched to authorities in due course.

2. CONDITIONS OF SERVICE

The Joint Secretaries are continuing with their exercise to produce a comprehensive report covering issues of stress and working time and the impact of changes in political processes, in order to inform future discussions.

Yours faithfully

**ROB PINKHAM
BRIAN STRUTTON**

Joint Secretaries

Median Actual Salaries – Chief Officers’ Survey 2003**Chief Officer/Director****Based on data from the Salaries and Numbers Survey as at 1.4.03**

	Districts		Counties		Mets./UAs/LBs	
Population Band	Median Population	Median Salary	Median Population	Median Salary	Median Population	Median Salary
0 - 99,999	80,000	55,818	-	-	72,000	65,898
100,000 - 249,999	122,000	64,655	-	-	183,000	81,759
250,000 - 499,999	-	-	483,000	84,852	290,000	85,466
500,000 +	-	-	680,000	89,315	726,000	98,679

ADVICE ON ESTABLISHING LOCAL SALARY STRUCTURES

1. When establishing or reviewing these salary structures the authority should initially refer to the most relevant median salary in terms of population size and authority type.
2. Normally the authority will wish to begin by determining appropriate salaries for their most senior chief officers.
3. When deciding at what level these posts should be remunerated the following factors are to be considered:
 - a The Authority's policy in respect of the pay of its JNC officers and any relationship to the median salary levels for similar Authorities;
 - b the chief executive's salary;
 - c the relationship of current salary to the appropriate illustrative national median salary (salaries may be above, around, or below the median);
 - d any special market considerations;
 - e any substantial local factors not common to authorities of similar type and size, e.g. London weighting;
 - f comparative information to be supplied on request by the Joint Secretaries on salaries in other similar authorities;
 - g top management structures and the size of the management team compared to those of other authorities of similar type and size; and
 - h the relative job size of each post, as objectively assessed through job evaluation or otherwise.

Determining Individual Salaries

4. Once established as in paragraph 3 above the locally determined salary, grade or range should then be applied in accordance with paragraph 5 or 6 below.
5. The JNC has adopted a modified version of the HAY job evaluation scheme which is available for those authorities who wish to use it to facilitate a review of their senior posts. The scheme will enable Authorities to determine the appropriate relativities in salary levels to be applied to their chief executive, chief officers, 2nd tier and other grades under the terms of the national agreement. Further details of the advice available can be obtained by writing to the Authorities' Side Secretary of the JNC.
6. However, if the authority does not wish to use this approach the following guidance should be considered.

- i. Salaries within or below the lower sector of the locally determined range will normally be appropriate for a chief officer who for example:-
 - a). manages a small function with relatively little impact on the whole community or council, and/or with strong national direction
or
is head of small service within a larger strategic directorate
 - and b). is directly accountable for a relatively small budget
or
has a remote impact on a larger service or corporate budget
 - and c). is not a member of the corporate/strategic management team
- ii. Salary scales within the middle sector of the range will normally be appropriate for a post which:
 - a). manages a small function with a critical impact upon the community or council
or
manages a support service critical to the whole authority but reports to a director/chief officer as well as members
 - and b). is directly accountable for a significant budget, of the authority and reports to a director/chief officer in addition to members
or
makes a strong contributory impact on the corporate budget of the authority and reports to a director/chief officer in addition to members.
- iii. Salary levels within the upper portion of the relevant range will normally be appropriate where a post:
 - a). manages a large function with critical and widespread impact upon the community or council and reports direct to the chief executive or members
or
manages a relatively large integrated department encompassing diverse services and reports direct to chief executive or members and is directly accountable for a relatively large service budget reporting to chief executive or members
or
has a strong contributory impact on the corporate budget of the authority reporting to chief executive or members
 - and b). is a full member of the corporate/strategic management team of the local authority.

7. The duties of a Chief Officer may not be satisfactorily undertaken within a fixed working week and some element of unsocial hours may be required for the proper performance of the responsibilities of the post. When determining salaries under this agreement authorities should take into account the degree of unsocial hours working normally

required. Authorities should also be aware of the need to consider the outcomes of the JNC reviews of the impact of new political structures, working hours and stress when published in due course.

- 8 Similarly, an adjustment may be required in the light of the use of fixed term contracts or the availability of some form of performance related pay within the contract.

Joint Negotiating Committee for Chief Officers of Local Authorities

**To: Chief Executives in England & Wales
(with copy for the Personnel Director)
Members of the Joint Negotiating Committee
Regional Directors
Local Authority Associations' Secretaries**

5 July 2005

Dear Chief Executive

CHIEF OFFICERS' CONDITIONS OF SERVICE

1. As part of the 2002 pay agreement for chief officers the JNC agreed that the Joint Secretaries should produce a report covering issues of stress and working time and the impact of changes in political processes.
2. That work has now been completed. It was based on the outcome of a joint survey on stress that took the form of a number of focus groups around the country in which both chief officers and elected members participated.
3. The survey highlighted a number of causes of stress for chief officers. Some of these are likely to be common to all employees in an organisation while others are more specific to chief officers. The latter would include some aspects of working time and also the challenges that arise from adapting to new political processes.
4. As far as the general question of stress at work is concerned, the JNC has concluded that it should draw on the wealth of research and information that already exists in this area. The JNC has therefore agreed to endorse the Employers' Organisation's guide *Addressing Stress at Work: a guide to strategic and operational interventions that councils can take to prevent and manage work-related stress*.
5. The guide provides information on how to identify and deal with stress. It includes practical ideas on how to combat stress, through the use of case study examples and model document templates developed from existing examples of good practice. The guide also considers future developments that may impact upon how councils manage work-related stress and provides links to further sources of information and advice.
6. Copies are available from Samantha Burberry samantha.burberry@lg-employers.gov.uk at a cost of £45.00 to local authorities in England & Wales. EO website link: <http://www.lg-employers.gov.uk/publications/fullpublications/stress.html>

Working time

7. The JNC recognises that the nature and responsibilities of chief officers' work mean that there is likely to be some flexibility around both the amount and pattern of working time. Nevertheless, the JNC encourages councils and their chief officers to ensure that working time is both reasonable and manageable.
8. Under the terms of the Working Time Regulations chief officers, like all other employees of the council, are limited to an average of 48 hours per week. While precise time-recording systems would not necessarily be appropriate, councils need to have some objective assessment of chief officers' working time both to protect themselves legally and to ensure that undue stress does not occur.
9. One particular point that arose from the survey was the demands that are sometimes made on chief officers during their own personal time, perhaps by telephone or e-mail. While in many cases this is an inevitable feature of a chief officers' work, the JNC encourages councils to promote a culture where this is the exception rather than the norm.

Changes in political processes

10. The survey highlighted the impact that new political processes can have on relationships between members and chief officers, particularly where councils have adopted a cabinet style of governance. The consequent changes in the roles and expectations of individuals can create tensions in the system.
11. The JNC has therefore agreed to commission some guidance on good practice in this area, which it will publish later this year.

Yours faithfully

MIKE WALKER
BRIAN STRUTTON

Joint Secretaries

ADVICE ON ESTABLISHING LOCAL SALARY STRUCTURES

1. When establishing or reviewing these salary structures the authority should initially refer to the most relevant median salary in terms of population size and authority type.
2. Normally the authority will wish to begin by determining appropriate salaries for their most senior chief officers.
3. When deciding at what level these posts should be remunerated the following factors are to be considered:
 - a. The Authority's policy in respect of the pay of its JNC officers and any relationship to the median salary levels for similar Authorities;
 - b. the chief executive's salary;
 - c. the relationship of current salary to the appropriate illustrative national median salary (salaries may be above, around, or below the median);
 - d. any special market considerations;
 - e. any substantial local factors not common to authorities of similar type and size, e.g. London weighting;
 - f. comparative information to be supplied on request by the Joint Secretaries on salaries in other similar authorities;
 - g. top management structures and the size of the management team compared to those of other authorities of similar type and size; and
 - h. the relative job size of each post, as objectively assessed through job evaluation or otherwise.

Determining Individual Salaries

4. Once established as in paragraph 3 above the locally determined salary, grade or range should then be applied in accordance with paragraph 5 or 6 below.
5. The JNC has adopted a modified version of the HAY job evaluation scheme which is available for those authorities who wish to use it to facilitate a review of their senior posts. The scheme will enable Authorities to determine the appropriate relativities in salary levels to be applied to their chief executive, chief officers, 2nd tier and other grades under the terms of the national agreement. Further details of the advice available can be obtained by writing to the Authorities' Side Secretary of the JNC.

6. However, if the authority does not wish to use this approach the following guidance should be considered.
- i. Salaries within or below the lower sector of the locally determined range will normally be appropriate for a chief officer who for example:-
 - a) manages a small function with relatively little impact on the whole community or council, and/or with strong national direction
 - or
 - is head of small service within a larger strategic directorate
 - and b) is directly accountable for a relatively small budget
 - or
 - has a remote impact on a larger service or corporate budget
 - and c) is not a member of the corporate/strategic management team
 - ii. Salary scales within the middle sector of the range will normally be appropriate for a post which:
 - a) manages a small function with a critical impact upon the community or council
 - or
 - manages a support service critical to the whole authority but reports to a director/chief officer as well as members
 - and b) is directly accountable for a significant budget, of the authority and reports to a director/chief officer in addition to members
 - or
 - makes a strong contributory impact on the corporate budget of the authority and reports to a director/chief officer in addition to members.
 - iii. Salary levels within the upper portion of the relevant range will normally be appropriate where a post:
 - a) manages a large function with critical and widespread impact upon the community or council and reports direct to the chief executive or members
 - or
 - manages a relatively large integrated department encompassing diverse services and reports direct to chief executive or members and is directly accountable for a

- relatively large service budget reporting to chief executive or members
 - or
 - has a strong contributory impact on the corporate budget of the authority reporting to chief executive or members
- and b) is a full member of the corporate/strategic management team of the local authority.

7. The duties of a Chief Officer may not be satisfactorily undertaken within a fixed working week and some element of unsocial hours may be required for the proper performance of the responsibilities of the post. When determining salaries under this agreement, authorities should take into account the degree of unsocial hours working normally required. Authorities should also be aware of the need to consider the outcomes of the JNC reviews of the impact of new political structures, working hours and stress when published in due course.
- 8 Similarly, an adjustment may be required in the light of the use of fixed term contracts or the availability of some form of performance related pay within the contract.

Joint Negotiating Committee for Chief Officers of Local Authorities

**To: Chief Executives in England and Wales
(with copies for the Chief Personnel Officer & Treasurer)
Members of the Joint Negotiating Committee
Regional Directors
Local Authority Associations' Secretaries**

21 December 2005

Dear Chief Executive

CHIEF OFFICERS' PAY 2006/7

1. Settlement 2006/7

The 2004/7 agreement was for a 3-year award based on the following increases:

2.75% from 1 April 2004

2.95% from 1 April 2005

2.95% from 1 April 2006 (or the rate of RPI at October 2005, whichever is the greater)

The RPI figure for October 2005 has been published as 2.5%; therefore an increase on all pay rates and associated allowances from 1 April 2006 is confirmed as 2.95%.

2. LOCAL SALARY STRUCTURE

At **Annex 1**, you will find the results of the April 2005 Chief Officer salary survey, researched by the Employers in the sector on an agreed basis - median salaries for chief officers in different types of authority and for different populations.

The table is published to inform the local parties - not as recommended salaries. The working assumption of the JNC is that local authorities will pay their officers an appropriate salary having taken into account all the factors set out in the joint advice on implementation which is attached at **Annex 2**.

An updated version of the handbook is due to be produced and dispatched to authorities in due course.

3. Further copies of this circular are available from the Employers' Organisation by email: Debbie.Carvalho@lg-employers.gov.uk Advice on any aspect of this agreement is available from the appropriate Side Secretary.

Yours faithfully

MIKE WALKER
BRIAN STRUTTON

Joint Secretaries

Median Actual Salaries – Chief Officers' Survey 2005
Chief Officer/Director

	Districts		Counties		Mets./UAs/LBs	
Population Band	Median Population	Median Salary	Median Population	Median Salary	Median Population	Median Salary
0 - 99,999	80,000	61,483	-	-	72,000	73,292
100,000 - 249,999	122,000	66,807	-	-	183,000	89,914
250,000 - 499,999	-	-	483,000	98,514	290,000	96,780
500,000 +	-	-	680,000	100,317	726,000	104,653

ADVICE ON ESTABLISHING LOCAL SALARY STRUCTURES

1. When establishing or reviewing these salary structures the authority should initially refer to the most relevant median salary in terms of population size and authority type.
2. Normally the authority will wish to begin by determining appropriate salaries for their most senior chief officers.
3. When deciding at what level these posts should be remunerated the following factors are to be considered:
 - a The Authority's policy in respect of the pay of its JNC officers and any relationship to the median salary levels for similar Authorities;
 - b the chief executive's salary;
 - c the relationship of current salary to the appropriate illustrative national median salary (salaries may be above, around, or below the median);
 - d any special market considerations;
 - e any substantial local factors not common to authorities of similar type and size, e.g. London weighting;
 - f comparative information to be supplied on request by the Joint Secretaries on salaries in other similar authorities;
 - g top management structures and the size of the management team compared to those of other authorities of similar type and size; and
 - h the relative job size of each post, as objectively assessed through job evaluation or otherwise.

Determining Individual Salaries

4. Once established as in paragraph 3 above the locally determined salary, grade or range should then be applied in accordance with paragraph 5 or 6 below.
5. The JNC has adopted a modified version of the HAY job evaluation scheme, which is available for those authorities that wish to use it to facilitate a review of their senior posts. The scheme will enable Authorities to determine the appropriate relativities in salary levels to be applied to their chief executive, chief officers, 2nd tier and other grades under the terms of the national agreement. Further details of the advice available can be obtained by writing to the Authorities' Side Secretary of the JNC.

6. However, if the authority does not wish to use this approach the following guidance should be considered.
- i. Salaries within or below the lower sector of the locally determined range will normally be appropriate for a chief officer who for example:-
 - a). manages a small function with relatively little impact on the whole community or council, and/or with strong national direction
 - or
 - is head of small service within a larger strategic directorate
 - and b). is directly accountable for a relatively small budget
 - or
 - has a remote impact on a larger service or corporate budget
 - and c). is not a member of the corporate/strategic management team
 - ii. Salary scales within the middle sector of the range will normally be appropriate for a post which:
 - a) manages a small function with a critical impact upon the community or council
 - or
 - manages a support service critical to the whole authority but reports to a director/chief officer as well as members
 - and b). is directly accountable for a significant budget, of the authority and reports to a director/chief officer in addition to members
 - or
 - makes a strong contributory impact on the corporate budget of the authority and reports to a director/chief officer in addition to members.
 - iii. Salary levels within the upper portion of the relevant range will normally be appropriate where a post:
 - a). manages a large function with critical and widespread impact upon the community or council and reports direct to the chief executive or members
 - or
 - manages a relatively large integrated department encompassing diverse services and reports direct to chief executive or members and is directly accountable for a relatively large service budget reporting to chief executive or members
 - or
 - has a strong contributory impact on the corporate budget of the authority reporting to chief executive or members

- and b) is a full member of the corporate/strategic management team of the local authority.
7. The duties of a Chief Officer may not be satisfactorily undertaken within a fixed working week and some element of unsocial hours may be required for the proper performance of the responsibilities of the post. When determining salaries under this agreement, authorities should take into account the degree of unsocial hours working normally required. Authorities should also be aware of the need to consider the outcomes of the JNC reviews of the impact of new political structures, working hours and stress when published in due course.
- 8 Similarly, an adjustment may be required in the light of the use of fixed term contracts or the availability of some form of performance related pay within the contract.

Joint Negotiating Committee for Chief Officers of Local Authorities

**To: Chief Executives in England and Wales
(with copies for the Chief Personnel Officer & Treasurer)
Members of the Joint Negotiating Committee
Regional Directors
Local Authority Associations' Secretaries**

3 December 2004

Dear Chief Executive

CHIEF OFFICERS' PAY 2004/7

1. 2004-7 SETTLEMENT

We write to inform you that an agreement has been reached on rates of pay applicable from 1 April 2004. The agreement is for a 3-year award based on the following increases:

- 2.75% from 1 April 2004
- 2.95% from 1 April 2005
- 2.95% from 1 April 2006 (or the rate of RPI at October 2005, whichever is the greater)

2. LOCAL SALARY STRUCTURE

At **Annex 1**, you will find the results of the April 2004 Chief Officer salary survey, researched by the Employers in the sector on an agreed basis - median salaries for chief officers in different types of authority and for different populations.

The table is published to inform the local parties - not as recommended salaries. The working assumption of the JNC is that local authorities will pay their officers an appropriate salary having taken into account all the factors set out in the joint advice on implementation which is attached at **Annex 2**.

An updated version of the handbook is due to be produced and dispatched to authorities in due course.

3. CONDITIONS OF SERVICE

Work is progressing on a comprehensive report covering issues of stress, working time and the impact of changes in political processes. This report is due to be made to the JNC by end March 2005.

Yours faithfully

MIKE WALKER
BRIAN STRUTTON

Joint Secretaries

Median Actual Salaries – Chief Officers’ Survey 2004 **Chief Officer/Director**

Chief Officers Survey 2004

Chief Officer/Director **Median Actual salaries**

	Districts		Counties		Mets./UAs/LBs	
Population Band	Median Population	Median Salary	Median Population	Median Salary	Median Population	Median Salary
0 - 99,999	80,000	56,781	-	-	72,000	67,100
100,000 - 249,999	122,000	64,260	-	-	183,000	83,828
250,000 - 499,999	-	-	483,000	87,264	290,000	88,287
500,000 +	-	-	680,000	92,409	726,000	97,119

ADVICE ON ESTABLISHING LOCAL SALARY STRUCTURES

1. When establishing or reviewing these salary structures the authority should initially refer to the most relevant median salary in terms of population size and authority type.
2. Normally the authority will wish to begin by determining appropriate salaries for their most senior chief officers.
3. When deciding at what level these posts should be remunerated the following factors are to be considered:
 - a The Authority's policy in respect of the pay of its JNC officers and any relationship to the median salary levels for similar Authorities;
 - b the chief executive's salary;
 - c the relationship of current salary to the appropriate illustrative national median salary (salaries may be above, around, or below the median);
 - d any special market considerations;
 - e any substantial local factors not common to authorities of similar type and size, e.g. London weighting;
 - f comparative information to be supplied on request by the Joint Secretaries on salaries in other similar authorities;
 - g top management structures and the size of the management team compared to those of other authorities of similar type and size; and
 - h the relative job size of each post, as objectively assessed through job evaluation or otherwise.

Determining Individual Salaries

4. Once established as in paragraph 3 above the locally determined salary, grade or range should then be applied in accordance with paragraph 5 or 6 below.
5. The JNC has adopted a modified version of the HAY job evaluation scheme, which is available for those authorities that wish to use it to facilitate a review of their senior posts. The scheme will enable Authorities to determine the appropriate relativities in salary levels to be applied to their chief executive, chief officers, 2nd tier and other grades under the terms of the national agreement. Further details of the advice available can be obtained by writing to the Authorities' Side Secretary of the JNC.

6. However, if the authority does not wish to use this approach the following guidance should be considered.
- i. Salaries within or below the lower sector of the locally determined range will normally be appropriate for a chief officer who for example:-
 - a). manages a small function with relatively little impact on the whole community or council, and/or with strong national direction
 - or
 - is head of small service within a larger strategic directorate
 - and b). is directly accountable for a relatively small budget
 - or
 - has a remote impact on a larger service or corporate budget
 - and c). is not a member of the corporate/strategic management team
 - ii. Salary scales within the middle sector of the range will normally be appropriate for a post which:
 - a) manages a small function with a critical impact upon the community or council
 - or
 - manages a support service critical to the whole authority but reports to a director/chief officer as well as members
 - and b). is directly accountable for a significant budget, of the authority and reports to a director/chief officer in addition to members
 - or
 - makes a strong contributory impact on the corporate budget of the authority and reports to a director/chief officer in addition to members.
 - iii. Salary levels within the upper portion of the relevant range will normally be appropriate where a post:
 - a). manages a large function with critical and widespread impact upon the community or council and reports direct to the chief executive or members
 - or
 - manages a relatively large integrated department encompassing diverse services and reports direct to chief executive or members and is directly accountable for a relatively large service budget reporting to chief executive or members
 - or
 - has a strong contributory impact on the corporate budget of the authority reporting to chief executive or members

and b) is a full member of the corporate/strategic management team of the local authority.

7. The duties of a Chief Officer may not be satisfactorily undertaken within a fixed working week and some element of unsocial hours may be required for the proper performance of the responsibilities of the post. When determining salaries under this agreement, authorities should take into account the degree of unsocial hours working normally required. Authorities should also be aware of the need to consider the outcomes of the JNC reviews of the impact of new political structures, working hours and stress when published in due course.
- 8 Similarly, an adjustment may be required in the light of the use of fixed term contracts or the availability of some form of performance related pay within the contract.