

**Committee:** Annual Council

**Date:** Tuesday, 23  
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**Title:** Amendment to Pay Policy

**Report Author:** Peter Holt, Chief Executive

**Author:** [pholt@uttlesford.gov.uk](mailto:pholt@uttlesford.gov.uk)

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## Summary

1. This report proposes a minor in-year amendment to the Pay Policy, so as to provide for a supplementary payment for any Statutory Officers [Head of Paid Service, Section 151 Officer or Monitoring Officer] or Deputy Statutory Officers [ie deputies to those three posts] whose substantive grade is below grade 13 [Assistant Director]. This is to allow for greater flexibility in seeking to attract to these hard to recruit functions and associated roles.

## Recommendations

2. To introduce a Statutory Officers Allowance of £10,000 per annum, to be paid only to Statutory Officers on Grades 12 and below. This allowance will be subject to the normal deductions such as Tax, NI and Pension and will be paid on a monthly basis. Statutory Officers on grades 13 to 15 will not be entitled to this allowance as these duties are already included in the grade and salary of the post.
3. To introduce a Deputy Statutory Officers Allowance of £3,000 per annum, to be paid only to Deputy Statutory Officers on Grades 12 and below. This allowance will be subject to the normal deductions such as Tax, NI and Pension and will be paid on a monthly basis. Deputy Statutory Officers on grades 13 to 15 will not be entitled to this allowance as these duties are already included in the grade and salary of the post.

## Financial Implications

4. There are no current postholders of any of these Statutory Officer or Deputy Statutory Officer roles who are below grade 13, so there will be no additional pay earned by any existing staff, and therefore no additional costs in that regard. The Authority is likely to save money by not having to pay more costly interim staff to fill outstanding hard to recruit and retain roles by paying this supplement, and therefore hopefully attracting permanent candidates.

## Background Papers

5. The following papers were referred to by the author in the preparation of this report and are available for inspection from the author of the report.

Appendix A – business case for this change

Appendix B – revised Pay Policy, including these proposed changes.

## Impact

6.

Communication/Consultation	Nil
Community Safety	Nil
Equalities	Nil
Health and Safety	Nil
Human Rights/Legal Implications	These roles are required by law, and where vacant, must therefore be filled. This amendment to the Pay Policy is designed to more successfully recruit and retain to these statutory roles, and thus provide greater continuity for the authority.
Sustainability	Nil
Ward-specific impacts	All wards
Workforce/Workplace	This amendment to the Pay Policy is designed to more successfully recruit and retain to these statutory roles, and thus provide a more settled workforce.

## Situation

7. The Council has in recent times found it difficult to recruit and retain lawyers. At present, the Council has vacancies in its top two legal posts – Assistant Director, Governance and Legal [Monitoring Officer] – Grade 13, and also Legal Services Manager [Deputy Monitoring Officer] – Grade 12. The authority's experience in seeking to recruit to these posts has shown it a flat market. Without filling either of these two top legal posts, it is substantially harder to recruit to and retain other lawyers.
8. The Council has recently appointed the Assistant Director, Corporate Services, to the role of Monitoring Officer, and the interim Legal Services Manager (who is legally qualified) as Deputy Monitoring Officer. Although neither the role of Monitoring Officer nor Deputy Monitoring Officer has to be a legally qualified person, there is a general consensus amongst Councillors that it would be better to have a lawyer in the Monitoring Officer role in due course, post recruitment to the substantive vacancies.
9. As illustrated in the Business Case for this change (appendix A), the best professional assessment of the market for local government lawyers is that the authority is not well placed to recruit and retain a qualified lawyer to also be able to serve as Monitoring Officer.

10. As such, these supplementary allowances are proposed for any of the three Statutory Officers or their Deputies who are in jobs at lower than Grade 13 (Assistant Director).

11. The additional sections in the Pay Policy to facilitate this change are shown in section 14.2 on pages 8 and 9 of appendix B.

## Risk Analysis

12.

Risk	Likelihood	Impact	Mitigating actions
That the authority will fail to recruit and retain lawyers, and in particular, a Monitoring Officer.	3 - significant	3 - significant	This amendment to the Pay Policy

1 = Little or no risk or impact

2 = Some risk or impact – action may be necessary.

3 = Significant risk or impact – action required

4 = Near certainty of risk occurring, catastrophic effect or failure of project.