

To: Chair and Members of the County Council

Date: 6 May 2015

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Dear Councillor

I refer to this agenda for the meeting of the **COUNTY COUNCIL** to be held at **10.00 am** on **TUESDAY, 12 MAY 2015** in **COUNCIL CHAMBER, COUNTY HALL, RUTHIN LL15 1YN** and enclose the following report(s).

**Agenda Item  
No**

**15 PAY POLICY (Pages 3 - 38)**

To consider a report for Members to approve Council Pay Policy for the municipal year 2015/2016.

Yours sincerely

G Williams  
Head of Legal and Democratic Services

**MEMBERSHIP**

**Councillors**

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**Report To: Full Council**

**Date of Meeting: 12<sup>th</sup> May 2015**

**Lead Member / Officer: Councillor Barbara Smith**

**Report Author: Catrin Roberts, HR Manager**

**Title: Pay Policy Statement**

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## **1. What is the report about?**

The Localism Act 2011 requires local authorities to prepare pay policy statements. These statements must articulate an authority's own policies towards a range of issues relating to the pay of its workforce particularly its senior staff (or "chief officers") and its lowest paid employees. Pay Policy Statements must be approved by the Council on an annual basis, and published on the relevant website.

## **2. What is the reason for making this report?**

To seek approval of the attached Pay Policy Statement which has been drafted in accordance with the requirements of 38 (1) of the Localism Act 2011 and incorporates all existing pay arrangements for the workforce groups within the Council, including Chief Officers and the lowest paid employees.

## **3. What are the Recommendations?**

- I. That Council agree the Pay Policy Statement for 2015/16.
- II. That the Council will pay the national annual cost of living pay increases for Chief Officers as and when determined in accordance with current contractual requirements.
- III. That a Remuneration Committee is set up to determine the pay and reward for the Council's Senior Leadership Team which consists of the Chief Executive, Directors and Heads of Service. Draft terms of reference for the committee are included in appendix B.
- IV. That the Chief Executive can award an honorarium of up to 15% of the Head of Service's substantive pay for a maximum period of 12 months, where they are required to carry out additional duties over and above their substantive post for a period of time. This would normally be to cover for a long term absence; following a restructuring whereby responsibility for additional services has been given to the Head of Service; or responsibility for a large project outside of their normal portfolio.

## **4. Report details.**

Under Section 112 of the Local Government Act 1972 the Council has 'the power to appoint officers on such reasonable terms and conditions as the Council thinks fit'.

This Pay Policy statement sets out the Council's approach to pay in accordance with the requirements of s38 (1) of the Localism Act 2011 which requires English and Welsh Local Authorities to produce and publish a Pay Policy Statement each financial year, detailing:

- a) The Council's Policies towards all aspects and elements of the remuneration of Chief Officers
- b) Their approach to the publication of and access to information relating to all aspects of the remuneration of Chief Officers
- c) The Council's Policies towards the remuneration of its lowest paid employees (including the definition adopted and reasons for it)
- d) The relationship between the remuneration of its Chief Officers and other employees.

The Pay Policy has been reviewed for 2015/16 and the following amendments made:

### ***National Pay Awards***

The Pay Policy has been updated in line with the national pay awards which have been agreed to date:

- I. A pay award has been agreed for the national pay spine for the period 1<sup>st</sup> January 2015 to 31<sup>st</sup> March 2016. This consisted of a non-consolidated lump sum for those on spinal column point 5 – 49 and an average pay award of 2.2%
- II. For Soulbury Staff and Youth & Community Workers, a pay award of 2.2% has been agreed for the period 1<sup>st</sup> March 2015 to 31<sup>st</sup> August 2016
- III. For the first time since 2008 national cost of living pay award has been agreed to Local Government Chief Officers and Chief Executive of 2% on guaranteed Full Time Equivalent basic salary of £99,999 or less [as at 31 December 2014] with effect from 1 January 2015. The offer covers the period 1<sup>st</sup> January 2015 to 31<sup>st</sup> March 2016.

### ***Chief Officer Pay Award***

Recent Welsh Government amendments to the Local Authorities (Standing Orders) (Wales) Regulations 2006 effective from 1st July 2014 introduced a new requirement that:

“The relevant authority must determine the level, and any change in the level, of the remuneration to be paid to a chief officer”

The impact of this amendment is that all changes to Chief Officer pay must be approved by the Council, not just those which are determined locally. This includes any pay rises which have been nationally negotiated by the JNC for Chief Officers and these now cannot be paid, unless and until, they have been agreed by the Council.

As the Chief Officers of this Authority are employed under JNC terms and conditions which are incorporated into their contracts of employment, they will be contractually

entitled to any JNC pay rises and a decision to withhold payment could result in claims against the Authority of 'unlawful deduction from wages' and/or 'breach of contract'. As well as the risk of such litigation, the demoralising effect of not supporting the payment of the first nationally agreed pay award for Chief Officers since 2008 would be significant.

Seeking the Council's determination to pay JNC nationally agreed pay rises at the time they are agreed is likely to cause delay in their payment. The WLGA has therefore pursued this matter with Welsh Government on behalf of councils in order to seek a pragmatic solution. As a result it has been agreed that the requirement that the Council must determine nationally agreed contractually entitled pay rises for Chief Officers can be met by the Council agreeing to insert a suitable clause in their Pay Policy Statements to cover this issue. It is therefore proposed that the following paragraph is included within the Pay Policy Statement:

*The Council employs Chief Officers under JNC terms and conditions which are incorporated in their contracts. The JNC for Chief Officers negotiates on national (UK) annual cost of living pay increases for this group, and any award of the same is determined on this basis. Chief Officers employed under JNC terms and conditions are contractually entitled to any national JNC determined pay rises and this Council will therefore pay these as and when determined in accordance with current contractual requirements.'*

Should the Council at any time decide that it does not wish to implement nationally negotiated JNC pay increases then Council would be able to resolve accordingly and alter its Pay Policy Statement.

### **Remuneration Committee**

Denbighshire currently has no agreed process for reviewing Chief Officers' salaries. Chief Officer posts are currently evaluated under HAY by an independent HAY consultant. A full re-evaluation of these posts was undertaken and agreed by Council in 2001 following a major re-organisation of Chief Officer and Senior Management posts. Any new posts or substantial changes to posts are re-evaluated at that time by an independent Hay consultant.

In order to contribute to the Council's positive reputation with regard to having appropriate and effective corporate governance arrangements for senior pay it is proposed that a Remuneration Committee is set up to determine the pay and reward for the Council's Senior Leadership Team. This will provide an independent, transparent and informed approach to managing senior pay. Draft terms of reference for the committee are included in appendix B of the Pay Policy Statement.

The scope of the committee will be to:

- Make recommendations on senior pay and reward issues to Council
- Make recommendations on the management of and structure of senior pay and reward, and grounds for pay progression.
- Determine the level of pay and any award of Performance Related Pay for the

Chief Executive.

### ***Honorarium for Chief Officers***

There are occasions when it is necessary for a Head of Service to carry out additional duties over and above their substantive post for a period of time. This would normally be to cover for a long term absence; following a restructuring where by responsibility for additional services has been given to the Head of Service; or responsibility for a large project which is outside of their normal portfolio. As the additional duties are normally only temporary, these have historically been recognised via temporary honorarium rather than a permanent increase in pay.

Under the changes to the Local Authorities (Standing Orders) (Wales) in the future temporary honorariums would need to be agreed by Full Council.

The pay policy is intended to provide Council approval for such payments to be made with the responsibility of when they are made delegated to the Chief Executive where the criteria is met. Such payments to be limited to the period until the Remuneration Committee is able to consider whether any permanent change to salary is required or until these additional responsibilities cease, whichever is the sooner.

It is therefore proposed that Full Council agree that the Chief Executive can award an honorarium of up to 15% of the Head of Service's substantive pay for a maximum period of 12 months, where they are required to carry out additional duties over and above their substantive post for a period of time. This would normally be to cover for a long term absence; following a restructuring whereby responsibility for additional services has been given to the Head of Service; or responsibility for a large project outside of their normal portfolio.

#### **5. How does the decision contribute to the Corporate Priorities?**

Having a fair and transparent pay policy will contribute towards a well-motivated workforce who in turn will contribute towards achieving the corporate priorities.

#### **6. What will it cost and how will it affect other services?**

There are no new financial implications arising from this Pay Policy.

#### **7. What are the main conclusions of the Equality Impact Assessment (EqIA) undertaken on the decision? The completed EqIA template should be attached as an appendix to the report.**

The Equality Impact Assessment form is attached.

#### **8. What consultations have been carried out with Scrutiny and others?**

Consultation with the Head of Legal, HR and Democratic Services, the Section 151 Officer and CET to ensure all requirements of s38 (1) of the Localism Act are incorporated.

## **9. Chief Finance Officer Statement**

There are no new financial implications arising out of this report.

## **10. What risks are there and is there anything we can do to reduce them?**

The Council will be in breach of its legal obligations in respect of the Localism Act if it fails to adopt the Pay Policy.

That the Council will not be compliant with the Local Authorities (Standing Orders) Wales) Amendment Regulations 2014 changes and, in the event that payments of the JNC national pay award are made without an appropriate enabling Council resolution will be open to challenge that an unlawful payment has been made. Conversely, as highlighted in paragraph 4.3 above failure to pay such national pay awards to Chief Officers could result in claims against the authority of 'unlawful deduction from wages' and/or 'breach of contract'. As well as the risk of such litigation, the demoralising effect of not supporting the payment of the first nationally agreed pay award for Chief Officers since 2008 would be significant.

## **11. Power to make the Decision**

S38 (1) of the Localism Act 2011 and section 112 of the Local Government Act 1972 covering the power to appoint officers

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# PAY POLICY STATEMENT 2015/16

This document is subject to the policy statement included in the Employee Handbook

This document is subject to the standard policy statements

This policy has an appeals process applied to it

To view FAQs click [here](#)

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<b><i>Date agreed &amp; Implemented:</i></b>	
<b><i>Agreed by:</i></b>	
<b><i>Review date:</i></b>	
<b><i>Frequency:</i></b>	

<i>Ver</i>	<i>Status</i>	<i>Date</i>	<i>Reason for Change</i>	<i>Authorised</i>
V1	Agreed	09/09/2014	Reformatting	Sophie Vaughan
V2				

**1. Introduction & Purpose**

**2. Legislative Framework**

**3. Scope of Pay Policy**

**4. Broad Principles of our  
Pay Strategy**

**5. Chief Officer  
Remuneration**

**6. Publication**

**7. Pay Relativities within  
the Council**

**8. Accountability and  
Decision Making**

**9. Re-employment**

**10. Reviewing this Policy**

# 1. Introduction and Purpose

- 1.1 Under Section 112 of the Local Government Act 1972 the Council has 'the power to appoint officers on such reasonable terms and conditions as the Council thinks fit'. This Pay Policy statement sets out the Council's approach to pay in accordance with the requirements of s38 (1) of the Localism Act 2011 which requires English and Welsh Local Authorities to produce and publish a Pay Policy Statement each financial year, detailing:
- a) The Council's Policies towards all aspects and elements of the remuneration of Chief Officers
  - b) Their approach to the publication of and access to information relating to all aspects of the remuneration of Chief Officers
  - c) The Council's Policies towards the remuneration of its lowest paid employees (including the definition adopted and reasons for it)
  - d) The relationship between the remuneration of its Chief Officers and other employees.
- 1.2 Local Authorities are large complex organisations with multi-million pound budgets. They have a very wide range of functions and provide and/or commission a wide range of essential services. The general approach to remuneration levels may therefore differ from one group of employees to another to reflect specific circumstances at a local, Welsh or UK national level. It will also need to be flexible when required to address a variety of changing circumstances whether foreseeable or not.
- 1.3 The global economic crisis and the reduction in budgets during the current Comprehensive Spending Review (CSR) period has necessitated councils going through unprecedented and painful cuts in jobs and services in response. This process has avoided some of the potential financial difficulties for councils but has been essentially reactive, and will require ongoing strategic review going forward.
- 1.4 Approval of the Pay Policy Statement is required by Full Council as required by the legislation, this policy statement will come into immediate effect and will be subject to review on a minimum of an annual basis in accordance with the relevant legislation prevailing at that time.

## 2. Legislative Framework

- 2.1 In determining the pay and remuneration of all of its employees, the Council will comply with all relevant employment legislation. This includes the
- a) Equality Act 2010
  - b) Part Time Employment (Prevention of Less Favourable Treatment) Regulations 2000
  - c) Agency Workers Regulations 2010 and where relevant, the
  - d) Transfer of Undertakings (Protection of Earnings) Regulations
- 2.2 With regard to the Equal Pay requirements contained within the Equality Act, the Council completed a review to ensure that there is no pay discrimination within its pay structures and that all pay differentials can be objectively justified through the use of equality proofed Job Evaluation mechanism which directly relate salaries to the requirements, demands and responsibilities of the role.
- 2.3 This policy must be applied consistently to all job applicants or employees regardless of their age, disability, gender reassignment, marital or civil partnership status, race, pregnancy or maternity, religion or belief, sex, sexual orientation or caring responsibilities.

If you require this information in an alternative format please contact HR Direct on 01824 706200

## 3. Scope of the Pay Policy

- 3.1 The Localism Act 2011 requires Authorities to develop and make public their Pay Policy on all aspects of Chief Officer Remuneration (including on ceasing to hold office), and that pertaining to the 'lowest paid' in the Council, explaining their Policy on the relationship between remuneration for Chief Officers and other groups. However, in the interests of transparency and accountability the Council has chosen to take a broader approach and produce a Policy covering all employee groups with the exception of School Teachers (as the remuneration for this latter group is set by the Secretary of State and therefore not in Local Council control).
- 3.2 Nothing within the provisions of the Localism Act 2011 detracts from the Council's autonomy in making decisions on pay that are appropriate to local circumstances and which deliver value for money for local tax payers. However, this Policy will be complied with in setting remuneration levels for all groups within its scope.

## 4. Broad Principles of our Pay Strategy

### 4.1 Transparency, accountability and value for money

4.1.1 The Council is committed to an open and transparent approach to pay policy which will enable the tax payer to access, understand and assess information on remuneration levels across all groups of council employees. To this end copies of the following pay scales are included in appendix A – D:

- Employee Pay Scales
- Chief Officer Pay Scales
- Soulbury Pay Scales
- Youth Workers Pay Scales

and the following documents are available to view on the Denbighshire Intranet:

- Early Termination (Discretionary Payments) Policy
- Redundancy Policy
- Market Supplement Policy
- Acting up, Honoraria & Ex Gratia Payments Policy

### 4.2 Development of Pay and Reward Strategy

4.2.1 The primary aim of a reward strategy is to attract, retain and motivate suitably skilled staff so that the Council can perform at its best. The biggest challenge for the Council in the current circumstances is to maximise productivity and efficiency within current resources. The Pay Policy then is a matter of striking a sometimes difficult balance between setting remuneration levels at appropriate levels to facilitate a sufficient supply of appropriately skilled individuals to fill the Council's very wide range of posts, and ensuring that the burden on the taxpayer does not become greater than can be fully and objectively justified.

4.2.2 In this context it does need to be recognised that at the more senior grades in particular remuneration levels need to enable the attraction of a suitably wide pool of talent (which will ideally include people from the private as well as public sector and from outside as well as within Wales), and the retention of suitably skilled and qualified individuals once in post. It must be recognised that the Council will often be seeking to recruit in competition with other good public and private sector employers.

- 4.2.3 In addition, the Council is the major employer in the area. As such we must have regard to our role in improving the economic well-being of the people of Denbighshire. The availability of good quality employment on reasonable terms and conditions and fair rates of pay has a beneficial impact on the quality of life in the community as well as on the local economy.
- 4.2.4 In designing, developing and reviewing the Pay and Reward Strategy, the Council will seek to balance these factors appropriately to maximise outcomes for the organisation and the community it serves, while managing pay costs appropriately and maintaining sufficient flexibility to meet future needs. This Pay Policy Statement will be reviewed on an annual basis in line with our strategy for pay and approved annually by the Full Council.

### **4.3 Pay Structure - Pay Spine**

- 4.3.1 The Council uses the nationally negotiated pay spine as the basis for its grading structure. This determines the salaries of the larger majority of the non-teaching workforce, together with the use of other nationally defined rates where relevant.
- 4.3.2 A pay award has been agreed for the national pay spine for the period 1<sup>st</sup> January 2015 to 31<sup>st</sup> March 2016. This consisted of a non-consolidated lump sum for those on spinal column point 5 – 49 and an average pay award of 2.2%
- For Soulbury Staff and Youth & Community Workers a pay award of 2.2% has been agreed for the period 1<sup>st</sup> March 2015 to 31<sup>st</sup> August 2016
- For Chief Officers and Chief Executive, a pay award of 2% has been agreed for the period 1<sup>st</sup> January 2015 to 31<sup>st</sup> March 2016 for salaries of £99,999 or less.
- 4.3.3 All other pay related allowances are the subject of either nationally or locally negotiated rates, having been determined from time to time in accordance with collective bargaining machinery and/or as determined by Council Policy.
- 4.3.4 New appointments will normally be made at the minimum of the relevant grade, although this can be varied where necessary to secure the best candidate.

#### **4.4 Job Evaluation**

- 4.4.1 Job evaluation is a systematic way of determining the value/worth of a job in relation to other jobs within an organisation. It aims to provide analytical scoring and to make systematic comparison between jobs to assess their relative worth for the purpose of establishing a rational pay structure and pay equity between jobs. The Council currently uses the Greater London Provincial Council Job Evaluation Scheme.
- 4.4.2 The Council undertook a full evaluation and review of pay under Single Status for the non-teaching workforce in terms of Pay & Grading and Terms & Conditions in April 2008 and continues to evaluate any new posts or those that demonstrate a fundamental change in duties.

#### **4.5 Market Supplements**

- 4.5.1 Job evaluation will enable the council to set appropriate remuneration levels based on internal job size relativities within the council. However, from time to time it may be necessary to take account of the external pay market in order to attract and retain employees with particular experience, skills and capacity.
- 4.5.2 Therefore, the Council has a Market Supplements Policy to ensure that the requirement for such is objectively justified by reference to clear and transparent evidence of relevant market comparators, using appropriate data sources available from within and outside the local government sector. It is the Council's policy that any such additional payments be kept to a minimum and be reviewed on a regular basis so that they can be withdrawn where they are no longer considered necessary.

#### **4.6 Acting up, Honoraria & Ex Gratia Payments**

- 4.6.1 There may be occasions when an employee is asked to carry out additional duties to those of their substantive post for a period of time. In such circumstances an additional payment may be made in line with the Council's policy on Acting Up, Honoraria & Ex Gratia Payments.

#### **4.7 Pay and Performance**

- 4.7.1 The Council expects high levels of performance from all employees and has an Annual Appraisal Scheme in place to monitor, evaluate and manage performance on an ongoing basis.

Where unsatisfactory performance is identified, through performance management, increments can be withheld

Performance related pay is only applied to the Chief Executive as detailed in 5.2.3. below.

4.7.2 The Council does not use bonus schemes for any member of staff.

## **5. Chief Officer Remuneration**

### **5.1 Definitions of Chief Officer & Pay Levels**

5.1.1 For the purposes of this statement, 'Chief Officers' are as defined within S43 of the Localism Act. The posts falling within the statutory definition of S43 of the Localism Act are set out below:

- a) Chief Executive
- b) Corporate Directors
- c) Heads of Service

5.1.2. Recent Welsh Government amendments to the Local Authorities (Standing Orders) (Wales) Regulations 2006 effective from 1st July 2014 introduced a new requirement that:

“The relevant authority must determine the level, and any change in the level, of the remuneration to be paid to a chief officer”

The impact of this amendment is that all changes to Chief Officer pay must be approved by the Council, not just those which are determined locally.

### **5.2 Pay Award**

5.2.1. The Council employs Chief Officers under JNC terms and conditions which are incorporated in their contracts. The JNC for Chief Officers negotiates on national (UK) annual cost of living pay increases for this group, and any award of the same is determined on this basis. Chief Officers employed under JNC terms and conditions are contractually entitled to any national JNC determined pay rises and this Council will therefore pay these as and when determined in accordance with current contractual requirements.'

5.2.2. In respect of the nationally agreed JNC Pay Award for Chief Officers' and Chief Executive's salary, it should be noted that there has been no JNC national Pay Award since April 2008 and that the current Chief Executive has been appointed



on a spot salary of £125,000 p.a. with no incremental progression. National Pay award has been agreed of 2% has been agreed for the period 1<sup>st</sup> January 2015 to 31<sup>st</sup> March 2016 for salaries of £99,999 or less.

- 5.2.3 A performance related pay scheme applies to the Chief Executive subject to the achievement of agreed objectives, competencies and behaviours. A performance related payment of between 5% and 12% can be awarded subject to a review by the Remuneration Committee who will determine the actual amount payable. No payment will be given in cases where the agreed objectives, competencies and behaviour have not been achieved.

### **5.3 Pay review for Chief Officers**

- 5.3.1. It is proposed that a Remuneration Committee is set up to determine the pay and reward for the Council's Senior Leadership Team which consists of the Chief Executive, Directors and Heads of Service. Draft terms of reference for the committee are included in appendix E.

- 5.3.2 Chief Officer posts are currently evaluated under HAY by an independent HAY consultant. A full re-evaluation of these posts was undertaken and agreed by Council in 2001 following a major re-organisation of Chief Officer and Senior Management posts. Any new posts or substantial changes to posts are re-evaluated at that time by an independent Hay consultant.

Any substantial changes to the senior management structure will require a pay and grading review including a re-evaluation of the job weights.

### **5.4 Honorarium**

- 5.4.1 There are occasions when it is necessary for a Head of Service to carry out additional duties over and above their substantive post for a period of time. This would normally be to cover for a long term absence; following a restructuring whereby responsibility for additional services has been given to the Head of Service; or responsibility for a large project outside of their normal portfolio.

- 5.4.2 In such circumstances, the Chief Executive can award an honorarium of up to 15% of the Head of Service's substantive pay for a maximum period of 12 months. Any honorarium which exceeds 12 months will need to be considered by the remuneration panel and recommended to Full Council.

- 5.4.3 The pay policy is intended to provide Council approval for such payments to be made with the responsibility of when they are made delegated to the Chief Executive where the criteria is met. Such payments to be limited to the period until the

Remuneration Committee is able to consider whether any permanent change to salary is required or until these additional responsibilities cease, whichever is the sooner.

## **5.5 Recruitment of Chief Officers**

5.5.1 In accordance with the Standing Orders (Wales) Amended Regulations 2014, there is a requirement for posts with salaries of more than £100k and which are for the duration of 12 months or more, to be advertised externally.

5.5.2 The Council's Policy and Procedures with regard to recruitment of Chief Officers is contained within the Officer Employment Procedure Rules as set out in Part 4 of the Constitution. The determination of the remuneration to be offered to any newly appointed Chief Officer will be in accordance with the pay structure and relevant policies in place at the time of recruitment. The salary level on appointment for the Chief Executive is determined by full Council.

Where it is deemed necessary to pay a market supplement, this will be advised through market research and agreed by the Special Appointments Panel prior to recruitment.

5.5.3 Where the Council remains unable to recruit Chief Officers under a contract of service, or there is a need for interim support to provide cover for a vacant substantive Chief Officer post, the Council will, where necessary, consider and utilise engaging individuals under 'contracts for service'. These will be sourced through a relevant procurement process ensuring the Council is able to demonstrate the maximum value for money benefits from competition in securing the relevant service. The Council does not currently have any Chief Officers engaged under such arrangements.

## **5.6 Additions to Salary of Chief Officers**

5.6.1 The Council does not apply any bonuses to its Chief Executive or Chief Officers.

5.6.2 Other than the Chief Executive, the Council does not apply any performance related pay to its Chief Officers.

5.6.3 The Council does pay all reasonable travel and subsistence expenses on production of receipts and in accordance with JNC conditions and other local conditions.

5.6.4. The cost of membership of one professional body is met by the Council.

5.6.5 The Chief Executive's Job Description includes his role as Returning Officer for Local Government Elections. The Council's fees for payment to its Returning Officer for elections duties can be found in appendix E.

## **5.7. Payments on Termination**

5.7.1 The Council's approach to statutory and discretionary payments on termination of employment of Chief Officers (and all other employees), prior to reaching normal retirement age, is set out within its Early Termination of Employment (Discretionary payments) & Redundancy Policy in accordance with Regulations 5 and 6 of the Local Government (Early Termination of Employment) (Discretionary Compensation) Regulations 2006. This is in respect of a redundancy payment being based on actual weekly earnings (Regulation 5) and when an enhanced redundancy payment of up to 45 weeks' pay would be granted (Regulation 6). Regulations 12 and 13 of the Local Government Pension Scheme (Benefits, Membership and Contribution) Regulations 2007 do not apply as the Council does not increase the total membership of active members (Regulation 12) or award additional pension (Regulation 13).

5.7.2 The Council's severance and retirement schemes are applied equally and fairly to all staff their age, disability, gender reassignment, marital or civil partnership status, race, pregnancy or maternity, religion or belief, sex, sexual orientation or caring responsibilities and are implemented in accordance with the regulations of the relevant pension schemes. These will be published on the Council's website as part of the Council's conditions of service policies.

5.7.3 The Council ensures that all payments are made in accordance with H.M.R.C legislation and utilises the services of a professional tax advisor where there is a requirement for more detailed specialist advice or to assist should an H.M.R.C compliance audit be undertaken. The use of these outside tax advisors is now shared collaboratively with a neighbouring Council ensuring a joint best practice and cost effective service.

Employment Status is regularly checked and the Council will only class someone as self employed where there is no question of doubt. Individuals who have previously regularly been treated as self employed with other authorities, have been paid under P.A.Y.E. by Denbighshire, this is where we have not been fully convinced of their self employment status.

5.7.4 The Welsh Government recommends that the council should offer full council the opportunity to vote before large severance packages beyond £100,000 are approved for staff leaving the organisation. Members must be made aware of any statutory or contractual entitlements due to the employee and the consequences of a non-approval by Council, in which failure to fulfil statutory or contractual obligation may enable the employee to claim damages for breach of contract.

All termination payments are fully compliant with H.M.R.C requirements

## **6. Publication**

- 6.1 This statement will be published on the Council's Website. In addition, for posts where the full time equivalent salary is at least £60,000, as required under the Accounts and Audit (Wales) (Amendment) Regulations 2010, the Council's Annual Statement of Accounts will include a note setting out the total amount and detail payments to Corporate Directors and Chief Executive Officer.

## **7. Pay Relativities within the Council**

- 7.1 The lowest paid persons employed under a Contract of Employment with the Council are employed on full time [37 hours] equivalent salaries in accordance with the minimum spinal column point currently in use within the Council's grading structure. As at 31 March 2015, this was £12,540 per annum, to be amended to £12,614 from 1<sup>st</sup> October, 2015 following the abolition of SCP 5. The Council employs Apprentices [and other such Trainees] who are not included within the definition of 'lowest paid employees' as they are not employed under Contracts of Employment.
- 7.2 The relationship between the rate of pay for the lowest paid and Chief Officers is determined by the processes used for determining pay and grading structures as set out earlier in this Policy Statement.
- 7.3 The statutory guidance under the Localism Act recommends the use of pay multiples as a means of measuring the relationship between pay rates across the workforce and that of senior managers, as included within the Hutton 'Review of Fair Pay in the Public Sector' (2010). The Hutton Report was asked by Government to explore the case for a fixed limit on dispersion of pay through a requirement that no public sector manager can earn more than 20 times the lowest paid person in the organisation. The report concluded that the relationship to median earnings was a more relevant measure and the Government's Code of Recommended Practice on Data Transparency recommends the publication of the ratio between highest paid salary and the median average salary of the whole of the Council's workforce.
- 7.4 The current pay levels within the Council define the multiple between the lowest paid (full time equivalent) employee and the Chief Executive as 1:10.7 and; between the lowest paid employee and average Chief Officer as 1:5.4 The multiple between the average full time equivalent earnings for contract staff (excluding teachers) and the Chief Executive is 1:6.6 and; between the average full time equivalent earnings and average Chief Officer is 1:3.4.

- 7.5 As part of its overall and ongoing monitoring of alignment with external pay markets, both within and outside the sector, the Council will use available benchmark information as appropriate.

## **8. Accountability and Decision Making**

- 8.1 In accordance with the Constitution of the Council, the Council is responsible for decision making in relation to the recruitment, pay, terms and conditions and severance arrangements in relation to employees of the Council.

## **9. Re-employment**

- 9.1. Staff who, upon leaving the employment of the Council, receives any form of compensation payment for loss of office, will not be re-employed by the Council for the duration of the compensation payment. e.g. If a member of staff receives 20 weeks redundancy payment, they cannot be re-employed by the Council for 20 weeks after the termination date.
- 9.2. Staff who, upon leaving the employment of the Council, receive a pension for which the Council incurred additional costs, cannot be re-employed in a similar area of work within the Council during the first 12 months without authorisation by CET. Where authorisation is given, the individual is still subject to 9.1 above if they have received a compensation payment and will only be allowed to commence work after the compensation period ends. This would also apply to the appointment of previously employed staff as consultants.

## **10. Reviewing the Policy**

- 10.1 This Policy outlines the current position in respect of pay and reward within the Council. The Policy will be reviewed annually in line with market forces and reported to Council.

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# NJC Employees (Inc. hourly rate) Jan'15

Appendix A

GLPC Score	Grade		SCP	Salary	Hourly Rate	
Up to 217	Grade 1		5	£13,500	£7.00	
	Grade 1		6	£13,614	£7.06	
	Grade 1		7	£13,715	£7.11	
218-250		Grade 2	8	£13,871	£7.19	
		Grade 2	9	£14,075	£7.30	
		Grade 2	10	£14,338	£7.43	
		Grade 3	Grade 2	11	£15,207	£7.88
	251-290	Grade 3		12	£15,523	£8.05
291-322		Grade 3	13	£15,941	£8.26	
		Grade 3	14	£16,231	£8.41	
		Grade 3	Grade 4	15	£16,572	£8.59
			Grade 4	16	£16,969	£8.80
			Grade 4	17	£17,372	£9.00
			Grade 4	18	£17,714	£9.18
		Grade 5	Grade 4	19	£18,376	£9.52
323-361	Grade 5		20	£19,048	£9.87	
	Grade 5		21	£19,742	£10.23	
	Grade 5		22	£20,253	£10.50	
	Grade 5		23	£20,849	£10.81	
	362-395	Grade 5	Grade 6	24	£21,530	£11.16
396-442		Grade 6	25	£22,212	£11.51	
		Grade 6	26	£22,937	£11.89	
		Grade 6	27	£23,698	£12.28	
	Grade 7	Grade 6	28	£24,472	£12.68	
	Grade 7		29	£25,440	£13.19	
443-474	Grade 7		30	£26,293	£13.63	
	Grade 7	Grade 8	31	£27,123	£14.06	
		Grade 8	32	£27,924	£14.47	
		Grade 8	33	£28,746	£14.90	
		Grade 9	Grade 8	34	£29,558	£15.32
475-515	Grade 9		35	£30,178	£15.64	
	Grade 9		36	£30,978	£16.06	
	Grade 9		37	£31,846	£16.51	
	Grade 9	Grade 10	38	£32,778	£16.99	
	516-551		Grade 10	39	£33,857	£17.55
552-574		Grade 10	40	£34,746	£18.01	
		Grade 10	41	£35,662	£18.48	
	Grade 11	Grade 10	42	£36,571	£18.96	
	Grade 11		43	£37,483	£19.43	
	Grade 11		44	£38,405	£19.91	
575-615	Grade 11		45	£39,267	£20.35	
	Grade 11	Grade 12	46	£40,217	£20.81	
		Grade 12	47	£41,140	£21.32	
		Grade 12	48	£42,053	£21.80	
		Grade 13	Grade 12	49	£42,957	£22.23
616-695	Grade 13		50	£44,184	£22.90	
	Grade 13		51	£45,482	£23.57	
	Grade 13		52	£46,777	£24.25	
		Grade 14	53	£47,902	£24.83	
		Grade 14	54	£49,092	£25.45	
696 and over		Grade 14	55	£50,299	£26.07	
		Grade 14	56	£51,486	£26.69	
		Grade 14	57	£52,684	£27.31	

## Non-Consolidated Payments

SCP	December 2014 Payment
5	£325
6	£325
7	£325
8	£150
9	£150
10	£150
11	£100
12	£100
13	£100
14	£100
15	£100
16	£100
17	£100
18	£100
19	£100
20	£100
21	£100
22	£100
23	£100
24	£100
25	£100
26	£103
27	£107
28	£110
29	£114
30	£118
31	£122
32	£126
33	£129
34	£133
35	£136
36	£139
37	£143
38	£147
39	£152
40	£156
41	£160
42	£165
43	£169
44	£173
45	£177
46	£181
47	£185
48	£189
49	£193



**Chief Officers Pay Tables**  
**1<sup>ST</sup> JANUARY 2015**

<b>CHIEF EXECUTIVE PAY RANGE</b>					
£125,000* (*spot salary)					
<b>DIRECTORS' PAY SCALES</b> <b>£77,018 - £86,630</b>					
<b>Point 1</b>	<b>Point 2</b>	<b>Point 3</b>	<b>Point 4</b>	<b>Point 5</b>	<b>Point 6</b>
£77,018	£78,943	£80,861	£82,784	£84,712	£86,630
<b>HEADS OF SERVICE (HS4)</b> <b>£60,065 - £66,066</b>					
<b>Point 1</b>	<b>Point 2</b>	<b>Point 3</b>	<b>Point 4</b>	<b>Point 5</b>	
£60,065	£61,568	£63,067	£64,572	£66,066	
<b>HEADS OF SERVICE (HS3)</b> <b>£56,987 - £62,687</b>					
<b>Point 1</b>	<b>Point 2</b>	<b>Point 3</b>	<b>Point 4</b>	<b>Point 5</b>	
£56,987	£58,414	£59,837	£61,263	£62,687	
<b>HEADS OF SERVICE (HS2)</b> <b>£53,910 - £59,301</b>					
<b>Point 1</b>	<b>Point 2</b>	<b>Point 3</b>	<b>Point 4</b>	<b>Point 5</b>	
£53,910	£55,252	£56,602	£57,945	£59,301	

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Soulbury Staff Pay Tables 1<sup>st</sup> March 2015

<b>Trainee Educational Psychologists</b>		
Spine Point	Salary from 01.03.2015	Oncosts
1	<b>£22,503</b>	<i>£29,253.90</i>
2	<b>£24,151</b>	<i>£31,396.30</i>
3	<b>£25,796</b>	<i>£33,534.80</i>
4	<b>£27,444</b>	<i>£35,677.20</i>
5	<b>£29,090</b>	<i>£37,817.00</i>
6	<b>£30,737</b>	<i>£39,958.10</i>

<b>Assistant Educational Psychologists</b>		
Spine Point	Salary from 01.03.2015	Oncosts
1	<b>£27,662</b>	<i>£35,960.60</i>
2	<b>£28,792</b>	<i>£37,429.60</i>
3	<b>£29,922</b>	<i>£38,898.60</i>
4	<b>£31,045</b>	<i>£40,358.50</i>

<b>Educational Psychologists - SCALE A</b>		
Spine Point	Salary from 01.03.2015	Oncosts
1	<b>£35,027</b>	<i>£45,535.10</i>
2	<b>£36,805</b>	<i>£47,846.50</i>
3	<b>£38,583</b>	<i>£50,157.90</i>
4	<b>£40,360</b>	<i>£52,468.00</i>
5	<b>£42,137</b>	<i>£54,778.10</i>
6	<b>£43,914</b>	<i>£57,088.20</i>
7	<b>£45,588</b>	<i>£59,264.40</i>
8	<b>£47,261</b>	<i>£61,439.30</i>
9	<b>£48,829</b>	<i>£63,477.70</i>
10	<b>£50,398</b>	<i>£65,517.40</i>
11	<b>£51,861</b>	<i>£67,419.30</i>

<b>Senior &amp; Principle Educational Psychologists - SCALE B</b>		
Spine Point	Salary from 01.03.2015	Oncosts
1	<b>£43,914</b>	<i>£57,088.20</i>
2	<b>£45,588</b>	<i>£59,264.40</i>
3	<b>£47,261*</b>	<i>£61,439.30</i>
4	<b>£48,829</b>	<i>£63,477.70</i>
5	<b>£50,398</b>	<i>£65,517.40</i>
6	<b>£51,861</b>	<i>£67,419.30</i>
7	<b>£52,462</b>	<i>£68,200.60</i>



Youth & Community Service Officers					
1	<b>£34,637</b>	£45,028.10	13	<b>£48,135</b>	£62,575.50
2	<b>£35,770</b>	£46,501.00	14	<b>£49,269</b>	£64,049.70
3	<b>£36,903</b>	£47,973.90	15	<b>£50,404</b>	£65,525.20
4	<b>£38,059*</b>	£49,476.70	16	<b>£51,542</b>	£67,004.60
5	<b>£39,234</b>	£51,004.20	17	<b>£52,686</b>	£68,491.80
6	<b>£40,380</b>	£52,494.00	18	<b>£53,822</b>	£69,968.60
7	<b>£41,553**</b>	£54,018.90	19	<b>£54,952</b>	£71,437.60
8	<b>£42,885</b>	£55,750.50	20	<b>£56,107***</b>	£72,939.10
9	<b>£43,620</b>	£56,706.00	21	<b>£57,284***</b>	£74,469.20
10	<b>£44,754</b>	£58,180.20	22	<b>£58,487***</b>	£76,033.10
11	<b>£45,883</b>	£59,647.90	23	<b>£59,715***</b>	£77,629.50
12	<b>£47,013</b>	£61,116.90	24	<b>£60,969***</b>	£79,259.70

The minimum Youth and Community Service Officers' scale is 4 points, Other salary scales to consist of not more than four consecutive points based on duties and responsibilities attached to posts and the need to recruit and motivate staff.

*\*normal minimum point for senior youth and community service officers undertaking the full range of duties at this level.*

*\*\*normal minimum point for principle youth and community service officer undertaking the full range of duties at this level.*

*\*\*\*extension to range to accommodate discretionary scale points and structured professional assessments.*

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## JNC Youth Workers Pay Tables 1<sup>st</sup> September 2014

Job Role		Scale Point	Salary	Salary + Oncosts
Trainee Support Worker scp 1 – 4	Support Worker scp 3 – 6	1	£14,597	£18,976.10
		2	£15,207	£19,769.10
		3	£15,817	£20,562.10
		4	£16,431	£21,360.30
		5	£17,041	£22,153.30
		6	£17,651	£22,946.30
Trainee Senior Support Worker scp 7 – 10	Senior Support Youth Worker scp 9 – 12	7	£18,267	£23,747.10
		8	£18,880	£24,544.00
		9	£19,659	£25,556.70
Trainee Youth Worker scp 11 – 14	Youth Worker scp 13 – 16	10	£20,269	£26,349.70
		11	£21,254	£27,630.20
		12	£22,219	£28,884.70
		13	£23,213	£30,176.90
Trainee Youth Worker scp 15 - 18	Youth Worker scp 17 - 20	14	£24,243	£31,515.90
		15	£24,945	£32,428.50
		16	£25,678	£33,381.40
		17	£26,398	£34,317.40
		18	£27,125	£35,262.50
Trainee Team Leader scp 20 - 23	Team Leader scp 22 - 25	19	£27,845	£36,198.50
		20	£28,566	£37,135.80
		21	£29,378	£38,191.40
		22	£30,298	£39,387.40
		23	£31,193	£40,550.90
		24	£32,092	£41,719.60
Senior Team Leader scp 25 - 28	Senior Team Leader scp 27 - 30	25	£32,999	£42,898.70
		26	£33,904	£44,075.20
		27	£34,811	£45,254.30
		28	£35,728	£46,446.40
		29	£36,639	£47,630.70
		30	£37,549	£48,813.70

Job Title	Salary range	Job Title	Salary range
Support Worker	Scp 3 – 6	Trainee Support Worker	Scp 1 – 4
Senior Support Youth Worker	Scp 9 – 12	Trainee Senior Support Youth Worker	Scp 7 – 10
Youth Worker	Scp 13 – 16	Trainee Youth Worker	Scp 11 – 14
Youth Worker	Scp 17 – 20	Trainee Youth Worker	Scp 15 – 18
Team Leader	Scp 22 – 25	Trainee Team Leader	Scp 20 – 23
Senior Team Leader	Scp 27 - 30	Senior Team Leader	Scp 25 – 28

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## **SENIOR LEADERSHIP PAY PROPOSAL FOR A REMUNERATION COMMITTEE**

### **Scope**

To determine the pay and reward for the Council's Senior Leadership Team which consists of the Chief Executive, Directors and Heads of Service.

### **Terms of Reference**

The scope of the committee is to:

- Make recommendations on senior pay and reward issues to Council
- Make recommendations on the management of and structure of senior pay and reward, and grounds for pay progression.
- Determine the level of pay and any award of Performance Related Pay for the Chief Executive.

The terms of reference will be reviewed on an annual basis to ensure effective working and to clarify the scope role, composition, and process within which the Committee will operate. The Terms of Reference will be subject to approval by Council.

### **General Principles**

- No permanent change to pay and reward of the Senior Leadership Team can be actioned until it is ratified by Full Council
- The basic pay of the Senior Leadership Team (excluding the Chief Executive) will be determined using the Hay Evaluation Scheme and undertaken by an external expert
- The Chief Executives appraisal will be facilitated by an external expert.

### **Role**

The Remuneration committee will make recommendations to Council on the permanent pay and reward of senior managers. It will:

- a) Contribute to the Council's positive reputation with regard to having appropriate and effective corporate governance arrangements for senior pay by operating an independent, transparent and informed approach to managing senior pay through the Remuneration Committee.
- b) Develop broad policy decisions for senior pay, having regard to the Council's Pay and Reward Policy
- c) Propose levels of remuneration considered to be sufficient to attract, retain and motivate senior managers of the quality required to run the organisation successfully
- d) Consider the affordability of its proposals
- e) Be sensitive to the context of senior pay, including pay and employment conditions elsewhere in the organisation
- f) Ensure the relationship between reward for senior management tiers and for employees below this level remain reasonable

- g) Ensure individuals are fairly and responsibly rewarded for their individual contribution
- h) Understand what other relevant organisations are paying for similar roles as well as their general approach to reward, and consider whether Denbighshire County Council should position itself in relation to ‘the market’ – for example, whether the Council’s approach may be to pay at around the lower quartile, median or upper quartile of the market, etc.
- i) Ensure that proper and professional advice is obtained to assist in its deliberations.

The Panel’s recommendations will be based on job evaluation results, data, advice, evidence, and views collected from a number of possible sources – for example:

- External pay data, advice, and facilitation (e.g. from external consultants or other sources)
- The Council’s Chief Executive, key documents and reports
- Performance data where relevant.
- Chief Executive’s Appraisal Panel

### **Membership and support**

The Panel will comprise of 6 Members to give a balanced political background. One Member will act as Chair.

The membership should include the Lead Member for Finance and one member of the CEO appraisal committee.

The Head of Legal, HR and Democratic Services will provide a “secretariat” function to the Panel. He will be responsible for arranging meetings, coordinating and preparing documentation and arranging support, training, advice and information for the Panel.

The Panel may commission external independent expertise to train and support them in fulfilling their role and/or to provide external data or advice (including relevant market and regional data). The Head of Legal, HR and Democratic Services will provide details of external experts considered suitable for these purposes in terms of experience, cost and best value for the Panel to select from.

### **Frequency of meetings and output**

The Committee will meet annually following the Chief Executive’s Appraisal to determine and approve the level of Performance Related pay for the Chief Executive.

The Panel will meet at least annually to maintain an overview of the ongoing suitability of the Council’s approach to senior pay. On a bi-annually basis, it will conduct a full review of senior managers pay and present a report with recommendations to Council. The Panel would not normally expect to present all of the background data and advice it had received.

The Panel may meet more frequently from time-to-time to discuss changes in relation to the approach or arrangements relating to senior pay such as linking pay progression to performance or contribution, or determining the pay level prior to undertaking a recruitment exercise. The recommendations on these issues will also be presented to Council.

# Pay Policy Statement 12<sup>th</sup> May 2015

Equality Impact Assessment

# Pay Policy Statement

**Contact:** Catrin Roberts, HR Manager

**Updated:** April 2015

**1. What type of proposal / decision is being assessed?**

A new or revised policy
-------------------------

**2. What is the purpose of this proposal / decision, and what change (to staff or the community) will occur as a result of its implementation?**

The Pay Policy Statement sets out the Council's approach to pay in accordance with the Localism Act 2011 which requires Welsh and English authorities to produce and publish their Pay Policy Statement each financial year. The pay policy is a summary of existing policies and agreements which have been subject to an equality impact assessment.
--

**3. Does this proposal / decision require an equality impact assessment? If no, please explain why.**

*Please note: if the proposal will have an impact on people (staff or the community) then an equality impact assessment **must** be undertaken*

Yes	The Pay Policy Statement requires an equality impact assessment but this will not include the policies detailed within it as they have already had an equality impact assessment.
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**4. Please provide a summary of the steps taken, and the information used, to carry out this assessment, including any engagement undertaken**

*(Please refer to section 1 in the toolkit for guidance)*

An Equal Pay Audit is conducted on an annual basis which assess the impact of our pay policies.
---

**5. Will this proposal / decision have a positive impact on any of the protected characteristics (age; disability; gender-reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex; and sexual orientation)?**

*(Please refer to section 1 in the toolkit for a description of the protected characteristics)*

The pay policy statement summaries the Council's pay related policies all of which have been designed to ensure that pay and benefits within the council are applied fairly to all employees regardless of their protected characteristics.

**6. Will this proposal / decision have a disproportionate negative impact on any of the protected characteristics (age; disability; gender-reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex; and sexual orientation)?**

The median gross f/t pay of men was £28,922, compared to £22,443 for women (where gross pay includes any standby allowances). The median gross ft/ pay of women was 77.6% of the equivalent for a man. The Equality & Human Rights Commission recommends that any difference in excess of 5% should be investigated.

The HR department has looked into the difference between the median basic salaries between males and females. This data shows barely any difference in median basic salaries (with women earning 100.53% the salary of men, at £34,708). Note, the fact that the median basic pay rate is higher than the median gross pay rate is, in itself, an anomaly. It may be due to a number of staff buying additional leave, working term-time only, etc. but being on a full time contract. Further examination of the causes of the difference would be useful, prior to any conclusions being reached. In doing so, it would be useful to bear in mind whether it is predominantly women that take advantage of the flexible working policies, and why.

Another possible reason for the disparity for gross median pay is the level of allowances usually earned by men. The median standby allowance value earned by men was £922.44 for the financial year 2013/14, compared to £153.30 (16.62% of a man's allowances).

**7. Has the proposal / decision been amended to eliminate or reduce any potential disproportionate negative impact? If no, please explain why.**

<b>No</b>	<If yes, please provide detail>
-----------	---------------------------------

**8. Have you identified any further actions to address and / or monitor any potential negative impact(s)?**

<b>No</b>	<If yes please complete the table below. If no, please explain here>
-----------	--

Action(s)	Owner	By when?
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<Please describe>	<Enter Name>	<DD.MM.YY>
<Please describe>	<Enter Name>	<DD.MM.YY>
<Please describe>	<Enter Name>	<DD.MM.YY>
<Please describe>	<Enter Name>	<DD.MM.YY>
<Unrestrict editing to insert additional rows>	<Enter Name>	<DD.MM.YY>

## 9. Declaration

Every reasonable effort has been made to eliminate or reduce any potential disproportionate impact on people sharing protected characteristics. The actual impact of the proposal / decision will be reviewed at the appropriate stage.

Review Date:	01/03/16
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Name of Lead Officer for Equality Impact Assessment	Date
Catrin Roberts	30/4/15

**Please note you will be required to publish the outcome of the equality impact assessment if you identify a substantial likely impact.**

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