

Local Government (Pay Accountability) Bill

EXPLANATORY NOTES

Explanatory notes to the Bill, prepared by the Department for Levelling Up, Housing and Communities with the consent of Paul Bristow, the Member in Charge of the Bill, are published separately as Bill 65—EN.

Local Government (Pay Accountability) Bill

[AS INTRODUCED]

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[AS INTRODUCED]

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B I L L

TO

Make provision about the approval of remuneration paid to local government employees.

BE IT ENACTED by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1 Approval of certain remuneration of local government employees

- (1) The Localism Act 2011 is amended as follows.
- (2) After section 39 (supplementary provision relating to pay policy statements) insert—

“39A Approval of certain salaries in England

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- (1) A relevant authority in England may not advertise employment by the authority in a role on terms and conditions that would allow for an annual salary of £100,000 or more on appointment, unless the authority has by resolution approved the salary for employment in that role.

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- (2) A relevant authority in England may not appoint a person as an employee in a role on terms and conditions that provide for an annual salary of £100,000 or more on appointment, unless the authority has by resolution approved the salary for employment in that role.

- (3) A single resolution may be used to approve a salary for the purposes of subsections (1) and (2).

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- (4) A resolution approving a pay policy statement is not, regardless of the contents of the statement, to be regarded as a resolution approving a salary for the purposes of subsection (1) or (2).

- (5) Any power of a fire and rescue authority within section 43(1)(i) to appoint a person as an employee is subject to the requirement in subsection (2).

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- (6) The Secretary of State may by regulations amend the amount of salary for the time being specified in subsections (1) and (2).

- (7) If an appointment is to be other than on a full-time basis, or is to be for less than a year, subsections (1) and (2) are to be read as if the amount of salary for the time being specified in those subsections was proportionately reduced.”
- (3) In section 38 (pay policy statements), after subsection (5) insert— 5
- “(6) The pay policy statement of a relevant authority in England for a financial year must state the number of appointments made by the authority in the preceding financial year for which there was a resolution for the purposes of section 39A(2).”
- (4) In section 40 (guidance), in subsection (1), for “or 39” substitute “, 39 or 39A”. 10
- (5) In section 43(1) (meaning of relevant authority), in paragraphs (g) and (j), for “38” substitute “38(1) to (5)”.
- (6) In section 235 (orders and regulations), in subsection (7), after paragraph (d) insert—
- “(da) regulations under section 39A(6);” 15
- (7) In section 112 of the Local Government Act 1972 (appointment of staff), in subsection (2A)—
- (a) after “subject to” insert “—
- (a) section 39A(2) of the Localism Act 2011 (requirement for salaries at or above a certain level to be approved by certain authorities in England), 20
- (b);
- (b) the words after “statement) and” become paragraph (c).
- 2 Extent, commencement and short title**
- (1) This Act extends to England and Wales only. 25
- (2) Section 1 comes into force on such day as the Secretary of State may by regulations made by statutory instrument appoint.
- (3) Different days may be appointed for different purposes.
- (4) This section comes into force on the day on which this Act is passed.
- (5) The Secretary of State may by regulations made by statutory instrument make transitional or saving provision in connection with the coming into force of section 1. 30
- (6) The power to make regulations under subsection (5) includes power to make different provision for different purposes.
- (7) This Act may be cited as the Local Government (Pay Accountability) Act 2024. 35

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Make provision about the approval of remuneration paid to local government employees.

Presented by Paul Bristow

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