

LOCAL GOVERNMENT (WALES) ACT 2015

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Section 28 - Pay policy statements

60. **Section 28** requires a shadow authority to prepare and approve a pay policy statement (as provided for in sections 38 and 39 of the Localism Act 2011) for the period set out in subsection (3). The purpose is to ensure the shadow authority has in place a public statement which articulates the authority's policies on a range of issues relating to the pay of its future workforce, particularly its chief officers (addressed below) and its lowest paid employees. To assist the shadow authority, subsection (1) requires a transition committee to publish recommendations for the shadow authority on the pay policy statement to be prepared by the shadow authority, no later than 42 days before the day the shadow authority is established or elected. Shadow authorities are prohibited from appointing a chief officer until the pay policy statement for the period mentioned in subsection (3)(a) has been prepared and approved.
61. The term "chief officer" has the same meaning as in section 43(2) of the Localism Act 2011 and covers the following officers of a principal local authority:
- the head of paid service (designated under section 4(1) of the Local Government and Housing Act 1989 ("the 1989 Act"))
 - a monitoring officer (designated under section 5(1) of the 1989 Act)
 - a statutory chief officer mentioned in section 2(6) of the 1989 Act, i.e.:
 - director of children's services
 - director of public health
 - chief education officer
 - director of social services
 - officer responsible for the administration of the authority's financial affairs
 - a non-statutory chief officer mentioned in section 2(7) of the 1989 Act, i.e.:
 - a person for whom the head of paid service is directly responsible
 - a person who, as respects all or most of their duties, is required to report directly or is directly accountable to the head of paid service
 - any person who, as respects all or most of their duties, is required to report directly or is directly accountable to the local authority themselves or any committee or sub-committee of the authority
 - a deputy chief officer mentioned in section 2(8) of the 1989 Act, i.e. a person who, as respects all or most of their duties, is required to report directly or is directly accountable to one or more of the statutory or non-statutory chief officers. This

*These notes refer to the Local Government (Wales) Act 2015
(c.6) which received Royal Assent on 25 November 2015*

does not include a person whose duties are solely secretarial or clerical or otherwise in the nature of support services.

62. Subsection (6) concerns the Welsh Ministers' power to issue guidance to transition committees and shadow authorities in respect of the performance of their duties under this section, and shadow authorities and transition committees must have regard to any such guidance when performing those duties.