



Local Government (Wales) Measure 2011

2011 nawm 4

PART 8

^{F1}...PAYMENTS AND PENSIONS

Principal functions of the Panel

^{F1}143A Functions relating to salaries of heads of paid service

- (1) The Panel may make recommendations to a qualifying relevant authority about—
 - (a) any policy in the authority's pay policy statement which relates to the salary of the authority's head of paid service;
 - (b) any proposed change to the salary of the authority's head of paid service.
- (2) A qualifying relevant authority must have regard to any recommendation received from the Panel when performing its functions under section 38 or 39 of the Localism Act 2011 (c. 20).
- (3) A qualifying relevant authority must, before making a change to the salary of its head of paid service which is not commensurate with a change to the salaries of the authority's other staff—
 - (a) consult the Panel about the proposed change, and
 - (b) have regard to any recommendation received from the Panel when deciding whether or not to proceed with making the change.

[But a qualifying relevant authority that has consulted the Panel about a proposed ^{F2}(3A) reduction in salary may make the reduction before receiving a recommendation from the Panel if the contract under which the salary is payable does not prevent the authority from changing the salary after receiving a recommendation.

- (3B) A qualifying relevant authority that makes a change to the salary of its head of paid service in accordance with subsection (3A) and subsequently receives a recommendation from the Panel about the change—
 - (a) must reconsider the salary, and

Status: Point in time view as at 25/01/2016. This version of this provision has been superseded.

Changes to legislation: There are currently no known outstanding effects for the Local Government (Wales) Measure 2011, Section 143A. (See end of Document for details)

(b) when doing so, must have regard to the recommendation.]

(4) A qualifying relevant authority must provide the Panel with such information as the Panel may reasonably require in connection with the exercise of its functions under this section.

[The Panel must notify the Welsh Ministers of every recommendation it makes under ^{F3}(4A) this section.]

(5) The Panel may publish any recommendations it makes under this section.

[A qualifying relevant authority—

^{F4}(5A) (a) must notify the Panel and the Welsh Ministers of its response to a recommendation made by the Panel about a change to the salary of its head of paid service before the end of the period of 14 days starting with the day on which the authority determines the response, and

(b) must not make a change to the salary before—

(i) the end of the period of eight weeks starting with the day on which the authority notifies the Welsh Ministers under paragraph (a), or

(ii) if, before the end of that period, the Welsh Ministers notify the authority that they will not be giving the authority a direction under subsection (5B), the day on which that notice is received.

(5B) If the Welsh Ministers consider that a qualifying relevant authority's response to a recommendation made by the Panel about a change of salary means that the authority will pay (or, under subsection (3A), is paying) a salary which is inconsistent with the recommendation, the Welsh Ministers—

(a) may direct the authority to reconsider the salary, and

(b) may specify in the direction the time by which the authority must do so.]

(6) The Panel must have regard to any guidance issued by the Welsh Ministers when exercising its functions under this section.

(7) In this section—

“ head of paid service ” (“ ”) means a head of paid service designated under section 4(1) of the Local Government and Housing Act 1989;

“ pay policy statement ” (“ ”) means a pay policy statement produced by a relevant authority (within the meaning of section 43(1) of the Localism Act 2011) under section 38 of that Act;

“ qualifying relevant authority ” (“ ”) means a relevant authority (within the meaning of this Part) which is required to produce a pay policy statement;

“ salary ” (“ ”) includes, in the case of a head of paid service engaged by a qualifying relevant authority under a contract for services, payments by the authority to the head of paid service for those services.]

Textual Amendments

F1 S. 143A inserted (1.4.2014) by [Local Government \(Democracy\) \(Wales\) Act 2013 \(anaw 4\)](#), **ss. 63(1)**, 75(3); S.I. 2014/380, art. 2

F2 S. 143A(3A)(3B) inserted (25.1.2016) by [Local Government \(Wales\) Act 2015 \(anaw 6\)](#), **ss. 40(2)**, 46(1)

F3 S. 143A(4A) inserted (25.1.2016) by [Local Government \(Wales\) Act 2015 \(anaw 6\)](#), **ss. 40(3)**, 46(1)

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F4 S. 143A(5A)(5B) inserted (25.1.2016) by [Local Government \(Wales\) Act 2015 \(anaw 6\)](#), **ss. 40(4), 46(1)**

Modifications etc. (not altering text)

C1 S. 143A(1)(b)(3) excluded (conditional) (26.11.2015) by [Local Government \(Wales\) Act 2015 \(anaw 6\)](#), **ss. 29(7)(8), 46(2)**

Status:

Point in time view as at 25/01/2016. This version of this provision has been superseded.

Changes to legislation:

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