



GOVERNANCE COMMITTEE

FRIDAY, 3 JUNE 2016 AT 12 NOON

ROOM CC2, COUNTY HALL, LEWES

MEMBERSHIP - Councillor Keith Glazier (Chair)
Councillors Godfrey Daniel, David Elkin, Philip Howson and David Tutt

A G E N D A

- 1 Minutes of the meeting held on 26 April 2016 (*Pages 3 - 6*)
- 2 Apologies for absence
- 3 Disclosures of interests
Disclosures by all members present of personal interests in matters on the agenda, the nature of any interest and whether the member regards the interest as prejudicial under the terms of the Code of Conduct.
- 4 Urgent items
Notification of items which the Chair considers to be urgent and proposes to take at the appropriate part of the agenda. Any members who wish to raise urgent items are asked, wherever possible, to notify the Chair before the start of the meeting. In so doing, they must state the special circumstances which they consider justify the matter being considered urgent.
- 5 East Sussex Electoral Boundary Review (to follow)
Report by Assistant Chief Executive
- 6 Orbis Pay Strategy (*Pages 7 - 16*)
Report by Chief Operating Officer
- 7 Local Managers' Pay 2016/17 (*Pages 17 - 22*)
Report by Chief Operating Officer
- 8 Any other items previously notified under agenda item 4

PHILIP BAKER
Assistant Chief Executive
County Hall, St Anne's Crescent
LEWES BN7 1UE

25 May 2016

Contact Andy Cottell, 01273 481955,

Email: andy.cottell@eastsussex.gov.uk

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GOVERNANCE COMMITTEE

MINUTES of a meeting of the Governance Committee held at Committee Room, County Hall, Lewes on 26 April 2016.

PRESENT: Councillors Keith Glazier (Chair), Godfrey Daniel, David Elkin, Philip Howson and David Tutt

34 MINUTES OF THE MEETING HELD ON 8 MARCH 2016

34.1 RESOLVED – that the minutes of the last meeting of the Committee held on 8 March 2016 be approved as a correct record

35 REPORTS

35.1 Copies of the reports referred to below are included in the minute book

36 PROCUREMENT STANDING ORDERS

36.1 The Committee considered a report by the Chief Operating Officer in relation to proposed updates to Procurement Standing Orders.

36.2 The Committee RESOLVED – to recommend the County Council to approve the revised Procurement Standing Orders as set out at Appendix 1

37 EAST SUSSEX ELECTORAL BOUNDARY REVIEW

37.1 The Committee considered a report by the Assistant Chief Executive regarding the Council's submission to the Local Government Boundary Commission for England (LGBCE) in respect of the review of East Sussex County Council electoral boundaries

37.2 The Committee noted that the LGBCE had agreed to an extension of the deadline to 12 July but with consequential effects. These are:

- The extension does not apply to the Borough and District Councils
- It will delay the Commission's consideration of the Council's submission from August to September; this in turn will constrain the Commission's ability to allow for any further draft recommendations for the County Council should that facility be needed. Should this need occur, the Council would miss the opportunity to use the new boundaries at the 2017 election
- The LGBCE have requested a copy of the Council's draft submission ahead of 12 July submission date, preferably around the close of consultation for the districts and boroughs on 16 June. This draft submission would therefore need to be approved by mid-June.

37.3 In light of this and in order not to delay the process and to ensure that this is dealt with in an efficient manner, it was proposed that the LGBCE be informed that the Council will meet the 16 June deadline. In order to achieve this it is proposed that:

- any County Councillor who wishes to make specific comments for inclusion in the County Council's submission is requested to liaise with Member Services officers as

soon as practicable, and at the latest by 26 May 2016 to enable responses to be considered;

- the cross party Boundary Review Reference Group be requested to meet and consider areas where the LGBCE proposals differ from the County Council's submission
- the County Council delegates authority to the Governance Committee to consider all proposed amendments from County Councillors and the Boundary Review Reference Group and agree the Council's final submission to the LGBCE

37.4 The Committee RESOLVED - to recommend the County Council to delegate authority to the Governance Committee to agree the Council's response to the Local Government Boundary Commission for England's review of East Sussex County Council boundaries

38 ANNUAL LEAVE ENTITLEMENT FOR STAFF ON SOULBURY PAY SCALES

38.1 The Committee considered a report by the Director of Children's Services regarding proposals to increase the annual leave entitlement for senior staff paid on Soulbury pay scales

38.2 The Committee RESOLVED to:

- 1) agree an increase of two days annual leave per annum from the current annual leave entitlement for senior Soulbury staff paid at spinal column points EIP 15 and EPB 4 or above;
- 2) agree that this change be backdated, effective from 1 April 2016

39 ORDINARY COMMUTING - EMPLOYEES WITH MORE THAN ONE PERMANENT WORKPLACE

39.1 The Committee considered a report by the Chief Operating Officer regarding proposed amendments to staff travel policies to enable ordinary commuting costs to be met by the Council where employees are required to have more than one permanent workplace

39.2 The Committee RESOLVED to:

- 1) agree that the relevant staff travel policies are amended as set out in Section 3 of the report to allow the payment to existing employees of a 'workplace travel allowance' for the reimbursement of additional ordinary commuting costs, including tax and National Insurance, associated with attendance at a secondary workplace, where an employee would otherwise suffer a significant financial detriment; and
- 2) agree that such reimbursement only applies to existing employees; staff appointed from outside of the County Council will not have an entitlement

40 ALLOCATION TO POLITICAL GROUPS AND THE INDEPENDENT GROUPS OF PLACES ON COMMITTEES

40.1 The Committee considered a report by the Assistant Chief Executive regarding the allocation of places on committees, sub-committees, panels and other bodies to the six political and independent groups.

40.2 The Committee RESOLVED to:

- 1) delegate authority to the Chair of the Committee, in consultation with members of the Committee, to update the tables in Appendix 1 to reflect the outcome of the St Helens and Silverhill by-election on 5 May 2016; and
- 2) recommend the County Council to allocate to political and independent groups the places on, and membership of, the main committees as set out in Appendix 1, subject to an amendment to reflect the outcome of the by-election.

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Report to: Governance Committee
Date of meeting: 3 June 2016
By: Chief Operating Officer
Title: Orbis Pay Strategy
Purpose: To advise the Governance Committee on the proposals for the development of a pay strategy to support Orbis.

RECOMMENDATIONS

The Governance Committee is recommended to approve the proposed Orbis Pay Strategy as set out in Appendix 2.

1 Background

1.1 At their meetings on 24 February 2015 and 10 March 2015, the Cabinets of Surrey County Council (SCC) and East Sussex County Council (ESCC) agreed to the creation of a new business services partnership arrangement between SCC and ESCC, with effect from 15 April 2015 (known as Orbis). In support of this, a range of options for the delivery model for the partnership were considered and following analysis, the proposed governance structure was for a joint committee. This was agreed by both Cabinets.

1.2 The Business Case supporting the recommendation to the Cabinets noted that 'a Joint Committee can have its own identity and branding but it is not a legal entity separate from its constituent authorities. It cannot enter into a contract, own land or employ staff in its own right'.

Equal Pay Considerations

1.3 The development of any pay and reward strategy therefore needs to sit within this context. Legal advice has been obtained in order to understand what, if any, limitations exist around pay and grading. In essence, as the Joint Committee will not have the power to enter into a contract or employ its own staff, it will not have the power to set the pay and conditions of service for staff within Orbis. This provides an important touchstone as it means it will not be possible to develop a single set of pay and grading arrangements for Orbis. As such, the pay and grading arrangements, as determined by each of the constituent authorities, will continue to apply to the staff they each employ.

Analysis of Current Pay Position

1.4 Unsurprisingly, the two Councils operate different pay and grading arrangements. A detailed analysis has been undertaken with a view to understanding whether there are any pay differentials between them for posts that are broadly undertaking similar tasks, duties and responsibilities. This further analysis has been undertaken on the two HR Teams and attached at Appendix 1 is a summary table showing how each of the structural levels compare.

1.5 From this it is clear that at the top end of the structure, SCC salaries are materially higher. This differential slowly tapers down the structure, with junior professional roles only being marginally higher.

1.6 Whilst clearly, each of the different directorates will be organised differently, this is likely to be broadly representative of the pay differentials that exist. There are a number of reasons for these differences, such as the difference in housing and commuting costs, the nature of the respective labour markets, skills shortages, recruitment and retention issues, as well as historical and on-going decisions around organisational design.

2 Implications for the Target Operating Model (TOM)

2.1 In support of the TOM, a number of design principles and parameters have been developed, a core one of which being the concept of integration and the removal of silos. At the same time, another core principle is the creation of a sustainable business case, meaning appropriate resource management including the achievement of 10 - 15% savings.

2.2 These provide a further context in which any pay and reward strategy must be viewed. Clearly, the TOM will include posts that are wholly integrated, managing a joint team across both Councils, providing professional advice to both sets of Leadership Teams and in some cases, Members. In principle, it is expected that the number of truly joint posts across the totality of the partnership will be fairly limited and in the main, at a relatively senior level.

Development of a Pay Strategy

2.3 In developing the pay strategy, a number of options were considered, including whether or not one was actually necessary. After careful consideration, it is believed a pay strategy that bridges the current differentials between the two Business Services departments is necessary in order to support the further development of integrated services, as well as supporting the need to ensure a broad balance of employment opportunities between the two Councils.

2.4 Given all of the above, it is proposed that a pay strategy comprising a 'blended' approach is operated, based on the following three principles:

i) identification of 'true partnership' roles – these will be roles that are contractually required to operate both in, and across, both Councils. They will need to have a physical presence in both headquarter locations in order to create the necessary professional networks and to gain business intelligence and insight.

As we move towards integration, many roles will undertake work for both Councils. However, unless this requires the physical presence in both locations, this will not be sufficient to meet the criteria for being a 'true partnership' role.

ii) identification of salary – once identified as a 'true partnership' role the balance of time across the two Councils will need to be determined, although the presumption will be for a 50/50 split as to do otherwise, will move the role away from being a 'true partnership' one.

To preserve the integrity of the two separate pay and grading structures, the salary package will be created as 50% of the respective SCC grade plus 50% of the respective ESCC grade. To provide for one employer, a secondment arrangement will then be used to achieve this outcome, eg an ESCC employee seconded to SCC for half their time on the appropriate SCC grade/salary, with ESCC remaining as the substantive employer.

There will be no salary detriment for a SCC employee where they are undertaking a 'true partnership' role. Likewise, in support of our recruitment and retention strategies, the principle of no detriment will apply where an individual is applying for or being considered for a post on a promotion basis.

iii) identification of market position – once the blended salary has been determined, consideration can then be given to the market position and where appropriate, subject to the necessary approvals, a market supplement can be paid. Both Councils have in place policies and procedures for the paying of market supplements.

2.5 In keeping with the principle of one employer, it is only the salary and pay conditions that will be blended; all other contractual terms and conditions such as annual leave, sickness entitlement etc, will remain in accordance with the sovereign employer. The proposed Pay Strategy is attached at Appendix 2.

3. Conclusion and reasons for recommendations

3.1 As noted, in light of the governance arrangements and equal pay position arising out of these, it will not be possible to create a single set of pay and grading arrangements for Orbis. The communication of this approach to staff will be very important.

3.2 It is also recognised that this 'blended approach' will need to be reviewed as the partnership develops to reflect the impact of this approach and also any further challenges that could be presented by new Partners joining. The Orbis Leadership Team has committed to doing this.

3.3 Set against the above background, the Governance Committee is recommended to approve the proposed Pay Strategy as set out in Appendix 2.

KEVIN FOSTER
Chief Operating Officer

Contact Officers: Sarah Mainwaring, Head of HR/OD
Telephone Number: 01273 482060
Email: sarah.mainwaring@eastsussex.gov.uk

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HR & OD Role Comparisons – ESCC/SCC

ESCC	Surrey	Comments
Assistant Director LMG7 £74,083 - £80,960	Head of Service 15C £87,691 - £103,967	Broad Match ESCC has schools functions, Surrey does not - outsourced service in SCC (Babcock). ESCC - OD and training are in departments (ASC and CSD) but dotted line to AD in HR SCC – have direct responsibility. SCC - 34,000 employees, 1m residents ESCC - 15,000 employees, 0.5m residents Difference in scale
Head of Service LMG5 £57,787 - £63,149	Head of HR Operations Strategic HR&OD/ Relationship Managers 14A £61,592 - £76,997	Match
N/A	Programme & Performance Manager 14A £61,592 - £76,997	No Match
N/A	Training Delivery Manager 14A £61,592 - £76,997	No equivalent – disaggregated to departments and some HR roles
HR Manager OD LMG3 £46,145 - £50,427	OD Manager 14A £61,592 - £76,997	Not a match
HR Manager LMG2 £40,991 - £44,800	Deputy Relationship Manager S12 £47,273 – £55,298	Match
HR Manager (Pay and Reward and Programmes of Change) LMG2 £40,991 - £44,800	HR Reward Manager S12 £47,273 - £55,298	Broad Match SCC – manage benefits scheme, FOI requests ESCC – reward team manage departmental restructure

Senior Organisation Development Officer SS13 £36,771 - £39,540	Senior OD Consultant Senior T&D Consultant – Culture & Performance S10 £38,015 - £42,992	Broad match SCC – staff survey, graduate programme, ESCC – Appraisal, management development
N/A	OD Consultant	No Match
N/A	Professional Development Advisor	No Match
Senior HR Advisor SS13 £36,771 - £39,540	Senior HR Advisor S10 £38,015 - £42,992	Match
HR Advisor SS10/11 £27,139 - £32,831	HR Advisor S9 £33,569 - £38,312	Match
Assistant Personnel Officer SS9/10 £24,234 - £26,179	HR Coordinator S8 £23,340 - £27,539	Match

Orbis Pay Strategy

Background

1. Through the establishment of Orbis, we aim to create a fully integrated business services organisation, providing excellent customer service and delivering public value with the aim of ultimately becoming the public sector provider of choice.
2. The Orbis Pay Strategy was agreed by the Orbs Joint Committee in March 2016.
3. Given that the Governance model for Orbis is that of a Joint Committee, staff will remain employed by their respective Council. As such, each Council's contractual pay and grading arrangements and contractual terms and conditions of service such as annual leave, sick pay etc, will continue to apply.
4. The Council's operate different pay and grading arrangements. There are many reasons for these differences, for example, the difference in housing and commuting costs, the nature of the respective labour markets, skills shortages, recruitment and retention issues, as well as historical and on-going decisions around organisational design.

The Pay Strategy

5. Set against the above background, this pay strategy has been developed to provide a bridge for the pay differences between the two Councils in the context of creating the integrated partnership (Orbis). Given that staff will be working in integrated teams with some providing services to both Councils, the pay strategy provides for a 'blended' salary to apply, based on the following three principles:
 - i) identification of 'true partnership' roles – these will be roles that are contractually required to operate both in, and across, both Councils. They will need to have a physical presence in both headquarter locations in order to create the necessary professional networks and to gain business intelligence and insight.

As we move towards integration, many roles will undertake work for both Councils. However, unless this requires the physical presence in both locations, this will not be sufficient to meet the criteria for being a 'true partnership' role.

- ii) identification of salary – once identified as a 'true partnership' role the balance of time across the two Councils will need to be determined, although the presumption will be for a 50/50 split as to do otherwise, will move the role away from being a 'true partnership' one.

To preserve the integrity of the two separate pay and grading structures, the salary package will be created as 50% of the respective SCC grade plus 50% of the respective ESCC grade. To provide for one employer, a secondment arrangement will then be used to achieve this outcome, eg an ESCC employee seconded to SCC for half their time on the appropriate SCC grade/salary, with ESCC remaining as the substantive employer.

In the interests of ensuring appropriate recruitment and retention arrangements within the partnership, the principle of 'no detriment' will apply. Where an individual is applying, or being considered, for a 'true partnership role' there will be no salary detriment in comparison to how their pay would be treated in their sovereign Council.

- iii) Identification of market position – once the blended salary has been determined, consideration can then be given to the market position and where appropriate, subject to the necessary approvals, a market supplement can be paid. Both Councils have in place policies and procedures for the paying of market supplements.

Implementation

6. In principle, the partnership will seek to ensure a balance of employment opportunities between the two Councils, to a proportion that matches the relative budgets of the two Councils and as set out in the Orbis Business Plan i.e. approximately one third : two thirds. Therefore, for new roles with a view to being appointed to on an external basis, the lead employer will be determined and their contractual grading arrangements will then apply, with the blended salary, as detailed above, being applied as appropriate.

7. In accordance with this, each Council's pay progression arrangement will apply. In East Sussex, posts at a managerial level have grades with four incremental points, with incrementation taking place each April, subject to managers meeting their operational targets. On appointment, recruiting managers can match the individuals' existing salary where there is sufficient headroom within the grade. In Surrey, manager grades have a minimum or maximum point and in principle, appointment can be made to any point of the range, and agreement for appointment above the minimum of the grade is subject to agreement by elected members in the Personnel, Performance and Development Committee (PPD Committee). Salary progression is determined each year following collective bargaining with trades unions and special provision exists for salaries to be increased where there is a business case which is subject to agreement by the PPD Committee.

8. Additionally, Surrey County Council is currently reviewing its pay and reward arrangements and looking to introduce performance related pay progression for 2016-17. The current plan is for these arrangements to be implemented with effect from 1 July 2017 and this will take into account any pay settlement that would have fallen due on 1 April 2016.

9. Taking these differences into account, following agreement of the blended salary, where the pay bands or pay rates are changed as a result of bargaining, some other appropriate agreement or following performance appraisal, then the blended salary will be reviewed. Where changes take place in the employing organisation, then the pay policy of the employing organisation will be applied to half of the blended salary. Where changes take place in the 'seconded organisation' then the seconded element of the salary for the other organisation will be reviewed to take into account any changes.

Practical Application

10. In practice, this will mean:

For the 50% of the salary on the ESCC grade:

- individuals will be appointed on the appropriate point within the grade that provides a match to existing salary. If the existing salary is more than the top point of the grade, they will be appointed on the top point;
- salaries will then progress through the grade by way of annual incrementation each April, subject to the achievement of operational targets, until the top of the grade is reached.

For the 50% of the salary on the SCC grade:

- individuals will be appointed to the bottom point of the grade, subject to any increase agreed through collective bargaining or special agreement by PPD Committee.
- in keeping with the current pay arrangements, salaries will remain fixed at this level, subject to any further increases following collective bargaining or agreed by PPD Committee.

Below are some examples to illustrate how this will work in practice:

(i) ESCC employee on bottom point of LMG5 appointed to 'true partnership role' graded LMG5/14A:

- salary = 50% of bottom point of LMG5 i.e. £58,475, plus 50% of bottom point of 14A i.e. £61,592 = £29,237.50+£30,796 = £60,033.50

(ii) ESCC employee on top point of LMG5 appointed to 'true partnership role' graded LMG5/14A:

- salary = 50% of top point of LMG5 i.e. £63,901 plus 50% of bottom point of 14A i.e. £61,592 = £31,950.50+£30,796 = £62,746.50
- however, as this is less than the current salary, the principle of no detriment applies and salary remains in accordance with current i.e. £63,901. Provision exists for a business case to be made to PPDC for salary on SCC 14A grade to be higher than the bottom point, which if agreed, would increase the SCC 50% of the blended salary.

(iii) ESCC employee having been undertaking a 'true partnership role' graded LMG5/14A and receives an annual increment on their ESCC LMG grade:

- salary = 50% of second point on LMG5 i.e. £60,221 plus 50% of bottom point of 14A i.e. £61,592 = £30,110.50+£30,796 = £60,906.50
- salary will be reviewed in line with any pay progression agreed through collective bargaining and taking into account performance rating.

(iv) SCC employee on bottom point of SCC 14A appointed to 'true partnership role' graded LMG5/14A:

- salary = for ESCC LMG5, in accordance with matching provisions, salary matched to closest point on LMG5 ie the third point: £62,040.
- salary therefore = 50% of bottom point of SCC 14A i.e. £61,592 plus 50% of third point of LMG5 i.e. £62,040 = £30,796+£31,020 = £61,816

(v) SCC employee on salary following PPDC agreement e.g. £64,000 appointed to 'true partnership role' graded LMG5/14A:

- salary = 50% of SCC salary i.e. £64,000 plus 50% of top point of LMG5 i.e.£63,901 (top point is used as salary has been 'matched' i.e. currently earning £64,000 therefore closest point on LMG5 grade is the top point)
- salary = £32,000+£31,950.50 = £63,950.50
- however, as this is less than the current salary, the principle of no detriment applies and salary remains in accordance with current i.e. £64,000.

(vi) SCC employee on salary in accordance with grade 13 e.g. £55,485 appointed to 'true partnership role' graded LMG5/14A:

- salary = 50% of bottom point of SCC 14A i.e. £61,592 plus 50% of bottom point of LMG5 i.e £58,475 = £30,796+£29,237.50 = £60,033.50
- however, as this is less than the salary they would get if appointed to a post graded 14A in SCC, there will be no detriment and their salary will be £61,592 (i.e. the bottom point of 14A).

Conclusion

11. The application of this 'blended approach' will need to be reviewed as the partnership develops to both reflect the impact of this approach and also the implications of new Partners joining.

Agenda Item 7

Report to: Governance Committee
Date of meeting: 3 June 2016
By: Chief Operating Officer
Title: Local Managers' Pay (LMG) 2016/17
Purpose: To agree a pay proposal for LMG Managers in 2016/17 for negotiation with Unison

RECOMMENDATIONS

The Governance Committee is recommended to determine the pay offer for LMG Managers to be negotiated with Unison for 2016/17 as being equivalent to the National pay offer of 1%.

1 Background

1.1 At its meeting on 26 January 2016 the Committee received a report with regards to the pay offer to be made to LMG Managers for 2016/17.

1.2 At that time, the national NJC pay award had not been agreed and the Committee's decision therefore was to defer consideration of the pay offer until the level of the national pay award was known and for this to be on the basis that no obligation was given to accepting parity with the national award.

2 Supporting information

Pay Negotiations 2016/17

2.1 National negotiations on the NJC local government services pay award have now concluded and an agreement reached.

2.2 The award covers the two year period from 1 April 2016 until 31 March 2018 and essentially provides for a 1% increase each year. Higher increases are made at the bottom end of the pay spine to meet the requirements of the new National Living Wage.

Market Position

2.3 The previous report provided high level benchmarking data in relation to the key LMG grades and a copy is attached for reference at Appendix 1. Whilst it is difficult to ensure that we are comparing on a 'like for like' basis given the very different organisational structures operating across Councils, this demonstrates that the LMG grades are broadly in line with our neighbours. Pay offers in other Councils are currently being determined but our understanding is that most are expecting to be in line with the national position.

Financial Implications

2.3 The LMG pay bill is approximately £29.8m per annum including on-costs. A 1% increase would cost approximately £298k including on-costs. Revenue budgets for 2016/17 have been prepared with provision for a pay award of 1%, in line with the Government's pay policy for the public sector.

2.4 Attached at Appendix 2 is a copy of the current LMG salary scales along with the impact of a 1% uplift.

3. Recommendations

3.1 The Governance Committee is recommended to determine the pay offer for LMG Managers to be negotiated with Unison for 2016/17 as being equivalent to the National pay offer of 1%.

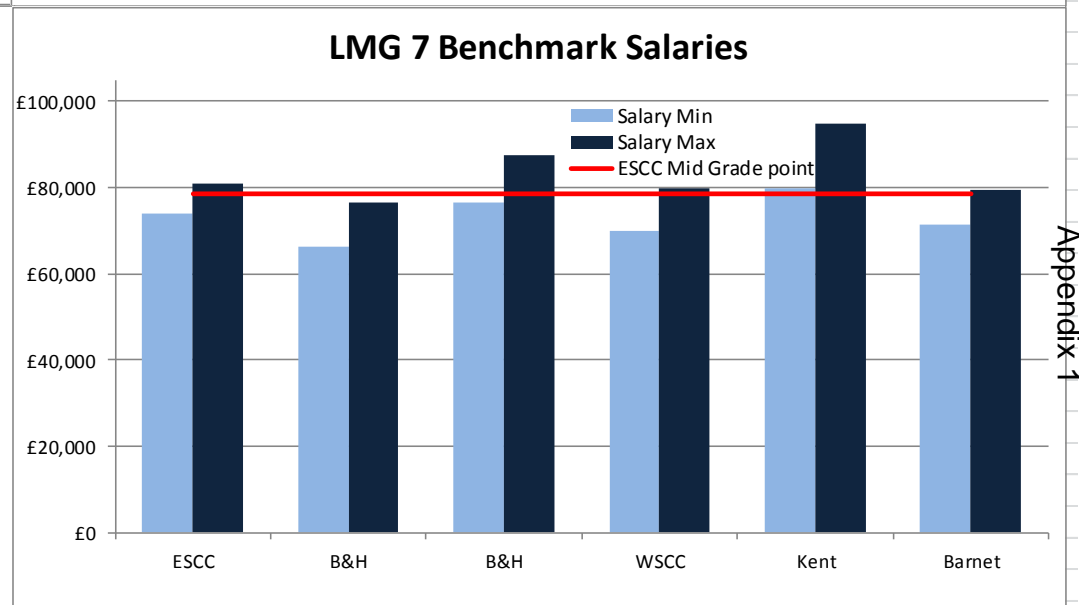
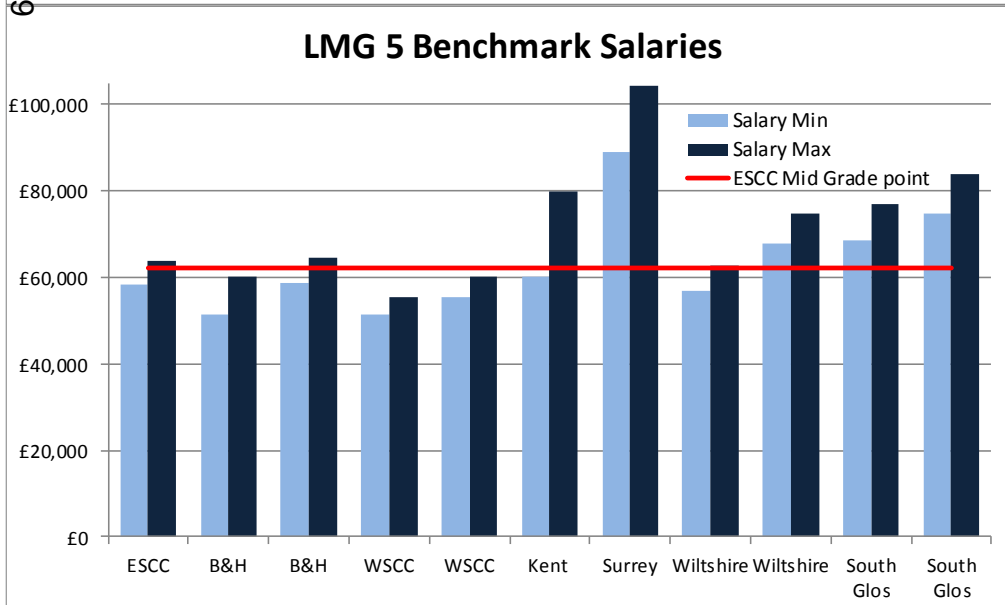
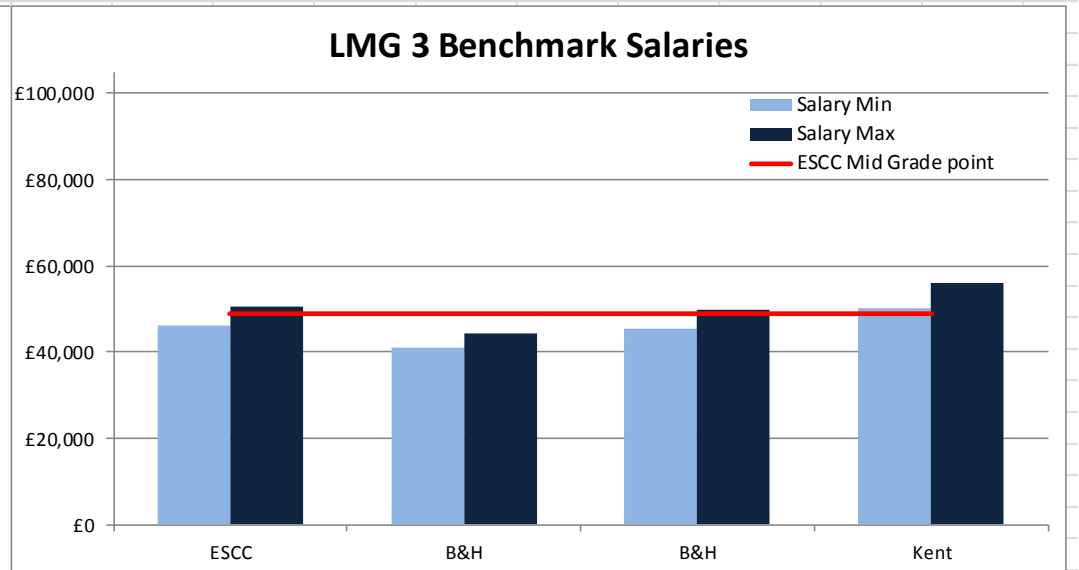
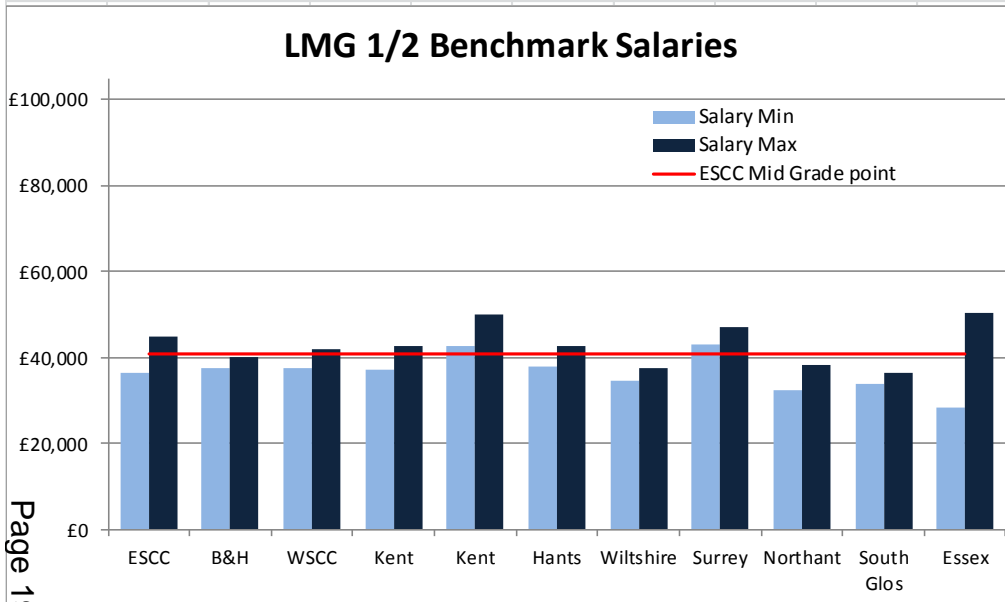
KEVIN FOSTER
Chief Operating Officer

Contact Officers:
Sarah Mainwaring, Head of HR & OD
Telephone No. 01273 482060
Email: sarah.mainwaring@eastsussex.gov.uk

Melanie Funnell, HR Manager
Telephone No: 01273 481867
Page 17 of 17
Email: melanie.funnell@eastsussex.gov.uk

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LMG Benchmarking Figures to comparative salary levels in ESCC



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Proposed Salary Scales 2016/17: LMG Managers

Grade	Current Salary	Plus 1%
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LMG 1	£ 36,417	£36,781
	£ 37,510	£37,885
	£ 38,634	£39,020
	£ 39,796	£40,194

LMG 2	£ 40,991	£41,401
	£ 42,224	£42,646
	£ 43,493	£43,928
	£ 44,800	£45,248

LMG 3	£ 46,145	£46,606
	£ 47,531	£48,006
	£ 48,962	£49,452
	£ 50,427	£50,931

LMG 4	£ 51,947	£52,466
	£ 53,505	£54,040
	£ 55,109	£55,660
	£ 56,766	£57,334

LMG 5	£ 58,475	£59,060
	£ 60,221	£60,823
	£ 62,040	£62,660
	£ 63,901	£64,540

LMG 6	£ 65,824	£66,482
	£ 67,796	£68,474
	£ 69,831	£70,529
	£ 71,922	£72,641

LMG 7	£ 74,083	£74,824
	£ 76,309	£77,072
	£ 78,607	£79,393
	£ 80,960	£81,770

LMG 8	£ 83,389	£84,223
	£ 85,896	£86,755
	£ 88,476	£89,361
	£ 91,137	£92,048

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