

FOI number: **HBC_FOI_20200011**
Date FOI Received: **07/01/2020**
Department: **Human Resources**
Title: **Chief Executive and Corporate director pay**
Description: **Details of annual salary of the Chief Executive Officer and corporate directors or equivalent posts.**

Request: (As Redacted sent by requestor)

First request:

Please provide the current annual salary for your Chief Executive Officer (or equivalent) and your corporate directors (or equivalent).

Second request:

Many thanks for this, however, the link does not provide the CEO's current annual salary, I also require the current annual salary of your local chief officers please and not the ranges within that job

Response: (Response as Redacted sent by service)

Please find our response below:

First response:

The information you request can be found in our Pay Policy Statement on our website:

<https://www.hertsmere.gov.uk/Your-Council/Official-Publications--Guides--Policies/Transparency-and-open-data.aspx>

Second response:

The Council is currently going through organisational change and we no longer have a Chief Executive post, nor do we currently have any corporate directors in post, although an advert is shortly to appear for the new post of Executive Director. The Pay Policy Statement 2019/2020 which you were referred to does give the salary ranges for the former posts of Chief Executive and Corporate Director but not the specific salary costs for each post. However, you can access this level of detail by accessing our Annual Statement of Accounts which is published on the Council's website.

On 22 January 2020, the Council appointed a Managing Director on the following new salary scale for the post:

£132,000
£135,000
£138,000
£141,000
£144,000

On 5 February 2020, the Personnel Committee approved the following new salary scale for the post of Executive Director:

£108,900
£111,375
£113,850
£116,325
£118,100

The contract of employment for the newly appointed Managing Director has not yet been finalised and I am not in a position to provide any further information. However, we will be updating our Pay Policy Statement in April to reflect the new organisational structure and further details will also be included in the next Annual Statement of Accounts, which you will be able to access from the Council's website.

As I have declined to communicate to you information in the Council's possession and control, namely the specific salary/actual pay of the Council's Chief Executive/Managing Director, I am required to inform you of the relevant exemptions in the Freedom of Information Act 2000 on which the Council relies and give reasons for my decision .

Relevant Exemptions

Section 40(1) Freedom of Information Act 2000 - Personal Information

Reasons

The withheld information constitutes the personal information of third parties who have not consented to its disclosure and Section 40 of the Freedom of Information Act 2000 entitles the Council to withhold such personal information if publication would breach the data privacy requirements of the General Data Protection Regulations 2016 and the Data Protection Act 2018.

In considering whether the third parties referred to above have a legitimate and reasonable expectation that personal information comprising their specific salary/actual pay will not be published by the Council, I have taken into account the fact that the Council already publishes an annual Pay Policy Statement that complies with the pay transparency requirements of sections 38 to 43 of the Localism Act 2011 and the statutory guidance published by the Secretary of State for Communities and Local Government. In addition, the Council discloses information about the remuneration of senior employees in the annual statement of accounts as required by the Account and Audit (England) Regulations 2011.

As neither the Localism Act 2011 nor the Accounts and Audit Regulations 2011 require the Council to publish the specific salaries/actual pay of its senior employees (as distinct from the salary scale points or salary range within which they are remunerated), I have concluded that the third parties referred to above do have a reasonable and legitimate expectation that the Council will not publish their specific salaries/ actual pay.

Consequently, it is my decision that disclosure of this information would constitute a breach of the data privacy requirements of the General Data Protection Regulations 2016 and the Data Protection Act 2018. Moreover, as this exemption is an absolute exemption, I am not required to consider whether the public interest in withholding this information outweighs any competing public interest in its disclosure.

If you have any queries about the processing of your request then please do not hesitate to contact me. Further information explaining the Council's process for responding to information requests together with a complaints/appeals procedure is available in our reception or via our website at:

<https://www.hertsmere.gov.uk/Your-Council/Official-Publications--Guides--Policies/Access-to-Information.aspx>

The Information Commissioner oversees the application of the Freedom of Information Act. You may contact the Information Commissioner at:
Information Commissioners Office

Wycliffe House, Water Lane
Wilmslow
Cheshire SK9 5AF
Telephone: 01625 545700

Website: www.informationcommissioner.gov.uk

Please include the above reference number on all correspondence related to this request.

Thank you for your request.

Kind regards
Information Services