

June 2023



SUPPORT STAFF PAY STATEMENT COMMUNITY SCHOOLS

The governors at Manor Primary School are bound by the terms of the national agreement on pay and conditions of service issued by the National Joint Council for Local Government Services (the Green Book) and relevant local collective agreements.

This policy will be reviewed at least annually and any necessary amendments will be made as a result of the latest national and local agreements for support staff or because of changes in the use of discretions.

Aims of the Policy

This policy is consistent with the principles of public life in respect of objectivity, openness and accountability, as listed in the DfE guidance.

Manor Primary School is committed to ensuring equality of opportunity for all staff, complying with all discrimination legislation. This policy shall be applied in such a way as to comply with the School's Equal Opportunities Policy.

As a Reading Borough Council Community School, Manor Primary School is bound by and has adopted Reading Borough Council's Pay and Grading Scheme for its support staff. This document is attached, and also lists the various scheme statements that together make up the Council's Pay and Grading Scheme. These are available from the school office.

READING BOROUGH COUNCIL
PAY AND GRADING POLICY
GUIDANCE NOTE

1. INTRODUCTION

- 1.1 With effect from 1 May 2011 incremental progression is performance based progression subject to an assessment of satisfactory performance.
- 1.2 The Council recognises that incremental progression is an integral part of its pay structures, but the need to ensure consistent and fair application of this progression and the need to have robust pay structures that do not put the Council at any financial or legal risk are of paramount importance.
- 1.3 The Council's appraisal scheme for schools (separate guidance available) will need to be used consistently and effectively to ensure that there is evidence available to support the awarding of an annual increment. Increments will continue to be given within the grade and (dependent on meeting specific progression criteria where applicable) to progress through the grade gateway.
- 1.4 The date on which an employee commences employment with the Council shall determine when they are eligible for consideration for an increment.

Principles for progression are:

- That an employee should not have to wait longer than 12 months before they can be assessed to determine whether an increment can be awarded;
- That an employee should not receive more than one increment in any 12 month period - April to March.

2. Increments Post Employment

- 2.1 Assessment for satisfactory performance and subsequent award of an increment will be either by the use of the probation scheme or annual appraisal depending on their start date.
- 2.2 Employees who commence employment with the Council between **1 April and 30 September** each year will have an annual appraisal between the end of their probation period (if applied) and the end of February the following year. Subject to the satisfactory performance assessment being made they will then receive their annual increment on the 1 April following that appraisal (i.e. on or within 12 months of appointment)
- 2.3 Employees who commence their employment with the Council between **1 October and 31 March** will not become eligible for an assessment of their performance until after the normal date for annual increments (1 April).

However, **at the point of six months completed service** they will be eligible for an assessment, this can either be the satisfactory completion of their probation, or in the case of an employee who is not subject to probation, then an assessment to determine satisfactory performance. If successful an increment will be awarded.

- 2.4 Employees who start work between October and March (see above) will be eligible for their next assessment of satisfactory performance in accordance with the annual appraisal process, with payment for satisfactory performance being made on the next 1st April following their initial assessment.

3. Spinal Column Point (SCP) on appointment

- 3.1 The starting pay point for all new employees should normally be the first point of the appropriate grade. Any proposal to place a new employee on a point above the bottom of the grade needs to be objectively justified (by reference to a 'material factor' reason) to protect the Council from an equal pay claim and to ensure employees are treated fairly. Any material factor which makes such a variation necessary needs to be established, evidenced and, where necessary, tested to ensure its robustness in the event of a challenge.

- 3.2 There is separate guidance and a certification to be completed and submitted to HR if there is to be a variation from this general policy (see 'Starting Pay on Appointment - Guidance on Possible Variations to Council Policy'). There is also further guidance available from the Equality and Human Rights Commission: ['Equal Pay in Practice' \(Checklist No 5\)](#).

- 3.3 It will be standard practice to state in the job advert that the starting point will be at the bottom of the grade. Adverts for employment will say:

“Successful candidates will normally start at the first point of the grade to which they are appointed”

- 3.4 At the point of any assimilation to a new grade (including at the point of the introduction of the new Pay and Grading Structure), employees moving to a higher grade will be placed at the bottom of that new grade.

4. Accelerated increments post-employment

- 4.1 There should be no accelerated incremental progression, only an annual assessment of satisfactory performance.

- 4.2 The only exception to 4.1 would be the progression within an existing career grade structure where skills and competencies (including academic attainment) have been achieved which meet predetermined career grade progression criteria.

- 4.3 The acceleration of an employee to the next increment, grade, or through the gateway of their existing grade, needs to be evidenced and certified by

the Service Manager as meeting pre-existing and defined career progression criteria and approved by the Corporate Director. Copies of the evidence to support such a decision need to be placed on the employee's personal file held by the school and by the Council's HR service.

- 4.4 Any career grade progression is conditional upon budget provision being available.
- 4.5 Employees successfully moving posts within the Council will be subject to the principle of annual incremental progression assessment. They will no longer receive an automatic increment 6 months after being in their new post.

5. Internal Recruitment

- 5.1 Where an employee has applied for, and been successful through an internal recruitment process and the grade for the new job is higher than their current grade then they will transfer to the bottom of the new grade. If this is at the same spinal column point (scp) as they are currently on then they will move to the next spinal column point.

6. Employees on Maternity Leave or Long-term Sickness

- 6.1 Employees who are on maternity leave or long-term sick leave will need to be monitored and an assessment regarding their eligibility for an annual increment should be carried out on their return to work. Failure to do so, or to withhold an increment purely on grounds of illness or maternity leave, will be potentially discriminatory.
- 6.2 It will usually be necessary to review performance against targets before and/or after the period of absence to determine the general level of performance.

7. Pay and Grading Scheme

- 7.1 The Council's Pay and Grading Scheme is set out in a number of statements each covering specific aspects of the scheme. These are listed below and are correct as at the date of this policy.
 - Acting Up Arrangements - Page 6
 - Additional Payments Policy - Page 9
 - Bank Holiday Entitlement Calculator - separate spreadsheet
 - Bank Holiday Guidance - Page 17
 - Equal Starting Pay Guidance from EHRC Schools Version - Page 18
 - Fair Pay at RBC - Page 22
 - IAN Guide to Equal Pay - Page 24
 - Incremental Progression Guidance - Page 27
 - Job Evaluation - Page 30
 - Market Supplements - Page 33
 - NJC Job Evaluation Scheme Process - Page 35

- Objective Justification Certificate - Page 38
- Objective Justification Guidance and Examples for schools - Page 40
- Overtime Policy - Page 42
- Pay and Grading Pay Structure - separate spinal point range
- Performance Related Progression - Page 44
- Progression within the Pay Structure - Page 53
- Shift Model - Category Criteria - Page 58
- Shift Model Flow Chart - Page 60
- Shift Unsocial Hours - Page 61
- Standby and Callout Scheme - Page 66
- Starting Pay on Appointment - Corporate Guidance - Page 68

7.2 The Council publishes grading matrices for job roles in schools from time to time, to assist schools in designing job roles, and making preliminary judgements on the grading of a post, subject to full evaluation by the HR service.

April 2011 / updated August 2015 / amended December 2016 KAB

READING BOROUGH COUNCIL

FRAMEWORK FOR ACTING UP ARRANGEMENTS

1. Introduction

1.1 Acting up arrangements can provide employee development opportunities and support the delivery of other objectives such as workforce planning, reshaping services or to maintain service delivery through providing cover for other staff who may be absent or temporarily diverted to other duties or roles. Possible examples are shown below.

2. Situations Where Acting Up May be Considered

2.1 The following are some examples where acting up may be considered. These examples are not exhaustive and may overlap:

- Covering for a vacancy pending completion of the recruitment process
- To provide cover for a vacancy pending a period of consultation during a reorganisation of a service area
- Long-term sick leave
- Maternity leave cover

3. Key Principles

The following key principles should be observed –

- 3.1 The employee acting up should be rewarded in accordance with the principles of fairness and existing national agreements ([see below](#))
- 3.2 Acting up is a voluntary act by a member of staff and no disadvantage should flow from an employee who declines an invitation to take part in such an arrangement
- 3.3 The process of identifying staff to 'act up' must be open and transparent consistent with the need to protect personal sensitive information.
- 3.4 Managers must ensure that they are not directly or indirectly disadvantaging or excluding a member of staff on the basis of their ethnicity, gender, sexuality, age, religion or disability.
- 3.5 If an acting up opportunity is identified or created, then the opportunity must be taken to consider all interested staff in the relevant service area with the requisite skills or aptitude.

- 3.6 The period of acting up should be clearly established at the outset and only varied following consultation with local trades unions (where the period exceeds 3 months) and agreement with the individual. Records should be kept of the arrangements and stored on the employee's personal file.
- 3.7 In identifying a member of staff to act up into a position or role, the sole determinator may not always be the same as when filling a vacancy on a substantive basis – for instance, when faced with more than one interested employee, the manager may weigh up a number of factors such as previously recorded development needs etc before coming to a final decision.
- 3.8 Managers must be prepared to be as open and honest as possible in providing explanations as to why an employee was not successful in obtaining an acting up role - providing such explanations in writing if requested.
- 3.9 It is important that managers keep acting up arrangements under review to ensure their continued effectiveness and the well being of employees.

When establishing acting arrangements, managers must assess the need for CRB or other checks (eg risk assessments) that may be necessary before the assignment can be confirmed.

4. Trades Union Consultation

- 4.1 Managers should inform / consult on acting up arrangements with their local trades union representative **before putting the arrangements into effect.**
- 4.2 Arrangements will be:
- ♦ In all cases, **notified** to trades unions representing members within the service area
 - ♦ The subject of **prior consultation** with the relevant trades union if the period of acting-up is to last in excess of a total period of 3 months in any 12 month period
- 4.3 The use of acting up arrangements shall be reported on a regular basis to Directorate Joint Forums.
- 4.4 The extent of the use of acting up arrangements shall be the subject of a report to the Council's Local Joint Forum as part of the annual staffing returns submitted to that body

5. Calculation of Acting Up Payments

- 5.1 Where an employee does undertake the full duties and responsibilities of a higher graded post, the employee receives payment for the entire period of time of the cover from the first day that the cover commences. If the employee is not fulfilling the full range of duties, then they will need to be working at the higher level for at least **4 weeks** before qualifying for payment (see 5.3 below).
- 5.2 The employee will either receive the 'rate for the job' that they are covering if they are undertaking the full range of duties and responsibilities. This means that they will be paid at the first spinal column point (scp) of the grade of the post that they are acting up into (but see 4.1 above). If this scp is the same as their existing scp, then they will be paid at the next scp.
- 5.3 If the employee is not undertaking the full range of duties of a higher graded post, then an acting up allowance will be paid. The rate of the allowance will be calculated on the basis of the percentage difference between the first point on the grade of the higher graded post and the employee's current salary equivalent to the percentage proportion of higher responsibility being undertaken (or the next scp of the higher grade if the employee is already on a scp equal to the start of the higher grade). For example, if an employee undertakes 50% of the duties of a higher graded post for a period of 6 consecutive weeks, then they will receive 50% of the difference between their current pay and the bottom of the higher grade for that period.
- 5.4 Authorisation of Acting Up Payments will be made by Heads of Service or above only.
- 5.5 Details of the acting up arrangements should be recorded on the employee's personal file held by the HR Service.
- 5.6 Applications for acting up payments should be made on the appropriate form set out in the Council's policy for 'Additional Payments to Staff'.

Amended in line with the Council's 'Policy for Additional Payments to Staff' approved by Personnel Committee 19th July 2011.

READING BOROUGH COUNCIL

REVIEW OF HONORARIUM PAYMENTS

1. INTRODUCTION

- 1.1 This paper sets out a review of the current arrangements in the Council for the payment of honoraria and proposes options for the introduction of a revised scheme (and monitoring arrangements).

2. BACKGROUND

- 2.1 Honorarium payments have traditionally been made for the following reasons–
- To compensate staff for undertaking all or some additional duties of another post;
 - As a recognition of where the undertaking of additional duties has been 'particularly onerous';
 - To recognise a particular piece of work or contribution above and beyond the scope of an employees normal duties.
- 2.2 Honorarium payments normally continue to be made for the duration of the additional duties, but can also be a single payment in the case of recognition for a discrete contribution – either to recognise the onerous nature of a contribution or as a 'merit payment' – an example of the former would be the payments to staff assisting deal with local emergencies (eg snow, floods etc) who are not normally entitled to unplanned overtime or, in the case of merit payments, as a recognition for a particular piece of work.
- 2.3 In 2007, the Council codified acting up principles in its 'Framework for Acting Up Arrangements' and the principles of linking 'acting up and honoraria' to Job Evaluation (JE) is referred to in the Council's Pay and Grading documentation. Extracts of the relevant policies and procedures are attached as **APPENDIX B1**.
- 2.4 It is worth noting here that both the old RBC policy and revised 'Acting Up Framework' currently require there to be a qualifying period of 4 weeks before staff qualify for an acting up payment / honoraria. There are however different practices across the Council.
- 2.5 There is no express provision for merit payments.

3. EQUAL OPPORTUNITY AND EQUAL PAY CONSIDERATIONS

- 3.2 Honorarium payments constitute emoluments and therefore are included as part of the pay comparison undertaken in equal pay claims. Difficulties have arisen when payments under the general heading of 'honoraria' are made (disproportionately to men rather than women) for which there is no

'objective justification' – there is no evidence of an express linkage to any of the criteria for calculation set out in Council Policies. Under these circumstances, therefore, such payments may be regarded as directly or indirectly discriminatory as there is no material defence to justify them.

- 3.3 A defence against claims for unequal pay (or indeed discriminatory practice generally) can be mounted where –
- There is an objective justification for a payment (ie a clear and logical rationale).
 - The rationale for the payment is consistently applied and monitored.
 - The payments are equally applied in respect of assessment and application.
- 3.4 These principles are already expressed and incorporated in existing procedures, but may require re-enforcement and articulation to ensure that they are fully embedded in the culture of the Council.
- 3.5 These pre-existing principles also need to be adjusted to take account of current operational practice and the need to ensure that front end services can be delivered effectively.

4. KEY PRINCIPLES

- 4.1 There is a distinction in respect of 'honoraria' and 'acting up' – the former is used to describe payments for work over and above the normal expectations of a post (ie a special project or additional responsibilities); the latter is where an employee is asked to cover the tasks and role of another postholder.
- 4.2 The following key principles should guide the payment of honoraria / acting up –

4.3 ACTING UP PAYMENTS

4.3.1 Where an employee covers the duties and responsibilities of another post in part or in their entirety, then the employee should be paid in accordance with the Council's 'Acting Up' policy (see summary extract at Appendix B1 to this report).

4.3.2 The employee will receive payment for the acting up responsibilities **from the first day** that these are undertaken. This is a variation to the existing policy.

4.4 HONORARIUM PAYMENTS

4.4.1 Where an employee is undertaking work on a project or discrete piece of work which would fall outside of the normal range of duties expected for his / her particular post, then the employee shall be eligible for an honorarium payment for the duration of the project. The level of payment made should

be determined with regard to the level of responsibilities being undertaken and this should be determined with regard to the Council's Job Evaluation Scheme. The employee will be paid an amount appropriate to the proportion of their time being spent working at this higher level on a monthly basis for the duration of the project / programme.

4.4.2 Where an employee has undertaken specific work which is within the expected range of their role, but the work has involved additional travel or hours worked, then providing prior approval is sought, normal overtime payments should be made.

4.4.3 Where an employee is paid at RG5 or above, they will not normally be eligible for overtime payments (unless it is planned overtime - see Overtime Policy). Such staff will, on occasion, be asked to undertake work outside of their normal role (eg providing emergency support or assistance to the Council or its services etc) which is outside of normal acting up arrangements. Staff in these pay grades may be eligible for an honorarium payment consisting of a notional level of overtime calculated as 'x hours at scp 34'. This payment is not intended to compensate staff at this level for the hours actually spent on the work in question, but in recognition of the additional effort involved. The total amount of such notional payments shall be determined by CMT on a case by case basis and payment will be administered by HR as directed by CMT.

4.5 Merit Payments

4.5.1 There is no scheme in the Council for making one-off payments on the basis of 'merit' outside of the above criteria.

5. MAKING AN APPLICATION

5.1 Requests for honorarium payments should be made in the format attached at **Appendix B2**.

5.2 Approvals for acting up or honorarium payments must be signed off by Head of Service or above.

5.3 Requests must include and end / review date. Managers will be given prior notice of the review date and given one opportunity to state/evidence a case for continuation. **The default position will be that the extra payment will cease unless a positive case / authority for continuation is received in payroll.**

6. MONITORING AND EVALUATION

6.1 The scheme of acting up and honorarium payments will be administered by HR and will be monitored and evaluated on no less than an annual basis by the Corporate Management Team who will have responsibility for ensuring that the scheme is applied fairly and consistently.

- 6.2 The launch of the scheme will be accompanied by a review of all existing honorarium payments and, where appropriate, a re-certification and authorisation of those that are to continue in accordance with the terms of this scheme.
- 6.3 It is recommended that these monitoring arrangements will be underpinned by audit reports and spot checks carried out by the Council's Audit Team.

APPENDIX B1

Extract from RBC Pay & Grading Overview

Acting Up Allowances and Honoraria

- Acting up allowances will be paid in accordance with the Council's agreed process
- Honoraria will be paid where employees undertake work temporarily beyond the scope of their normal duties, for example involvement in a one off project
- For both of these the amount paid will be based on JE

RBC ACTING UP AGREEMENT [full copy on IRIS]

1.1 Acting up arrangements can provide employee development opportunities and support the delivery of other objectives such as workforce planning, reshaping services or to maintain service delivery through providing cover for other staff who may be absent or temporarily diverted to other duties or roles. Possible examples are shown below.

3.3 The process of identifying staff to 'act up' must be open and transparent consistent with the need to protect personal sensitive information.

3.4 Managers must ensure that they are not directly or indirectly disadvantaging or excluding a member of staff on the basis of their ethnicity, gender, sexuality, age, religion or disability.

3.5 If an acting up opportunity is identified or created, then the opportunity must be taken to consider all interested staff in the relevant service area with the requisite skills or aptitude.

5.1 Where an employee does undertake the full duties and responsibilities of a higher graded post [~~to be deleted: for in excess of a **continuous period of at least 4 consecutive weeks**~~], the employee will receive payment for the entire period of time of the cover.

5.2 The employee will either receive the 'rate for the job' that they are covering if they are undertaking the full range of duties and responsibilities. As a minimum, this means that they will be paid at the first spinal column point of the grade of the post that they are acting up into (but see 4.1 above)

5.3 If the employee is not undertaking the full range of duties of a higher graded post, then an acting up allowance will be paid. The rate of the allowance will be calculated on the basis of the percentage difference between the first point on the grade of the higher graded post and the employee's current salary equivalent to the percentage proportion of higher responsibility being undertaken. For example, if an employee undertakes 50% of the duties of a higher graded post for a period of 6

consecutive weeks, then they will receive 50% of the difference between their current pay and the bottom of the higher grade for that period.

**APPENDIX B2
 READING BOROUGH COUNCIL
 APPLICATION FOR ACTING UP / HONORARIUM PAYMENT**

The employee below is to be paid the following acting up / honorarium allowance for the reasons stated:

NAME OF EMPLOYEE		JOB TITLE	
DIRECTORATE		TEAM	

ACTING UP PAYMENT

EITHER

The employee is covering all the duties of the post stated and should be paid at the bottom spinal column point (scp) of the grade shown for that post.

Or

The employee is covering part of the duties of the post stated and should be paid ____% of the difference between the employee's current scp and the bottom of the grade shown.

(Delete as necessary)

POST BEING COVERED _____

GRADE OF THE POST BEING COVERED _____

FROM (Date) _____ To (End / Review Date) _____

(Please note that all acting up arrangements **must** have an end date for review purposes)

HONORARIUM PAYMENTS

EITHER

The employee is engaged in work which is outside of the normal range of duties and responsibilities for his / her post.

The level of responsibility being undertaken is equivalent to grade *RG____ and the employee should receive a honorarium payment equivalent to ____% of the difference between the bottom of this grade and their current scp.

**Please note that evidence of the assessment undertaken to establish the JE level of the additional responsibilities should be attached with this application.*

FROM (Date) _____ To (End / Review Date) _____

(Please note that all acting up arrangements **must** have an end date for review purposes)

I confirm that to the best of my knowledge the above (and attached) information is correct and that this authorisation for payment conforms to the Council's policy for Acting Up / Honorarium payments

SIGNED _____ (Head of Service) Date _____

Payment for working on a Bank/Statutory Holiday

Guidance Note

Employees in receipt of a shift percentage

The payment of a shift percentage is in recognition of the hours an employee carries out outside of the Council's plain time hours, as part of their regular working arrangements throughout the year.

If an employee in receipt of a shift percentage is required to work on a bank/statutory holiday as part of his/her normal working week or pattern, they will not be entitled to receive any additional payment for working these days (as this has already been recognised in the shift payment).

They will receive a paid day off in lieu to compensate for their entitlement to a bank or statutory holiday.

The day cannot be exchanged for pay, but employees should be given reasonable opportunity to take the time as soon as possible.

Employees NOT in receipt of a shift percentage

Employees who do not qualify for a shift percentage, but are required to work on a bank/statutory holiday as part of their normal working week or pattern, will be entitled to payment for the hours worked at plain time (in addition to their normal day's pay) plus a day off in lieu.

The same payment will be made to staff who volunteer to work on a bank/statutory holiday.

Please note: There is a [calculator](#) available on IRIS to calculate the pro-rata annual leave and bank holiday entitlement for part-time staff.

The Equality and Human Rights Commission

Equal pay in practice (Checklist 5)

What do we mean by 'starting pay'?

The term starting pay covers the amount someone is paid when:

- They join the organisation
- Their job changes significantly and its grading is reviewed
- They are promoted to a new job or grade
-

How do you find out if there is a problem?

You may start people at different rates of pay for apparently good reasons. However, it is all too easy for pay discrimination to creep in. As well as looking at differences between men and women, remember to think about other aspects of equality such as race, disability, and contractual status (full-time or part-time).

You can find out if there is a problem in your organisation by comparing the amount you paid on recruitment, on change of job, and on promotion, to, for example, men and women, people from different ethnic groups and those with a disability compared to those without, over the past year. If your records show that there is a tendency for people from one group to be favoured over another, then you need to find out why this happening.

An example

A difference in starting salaries can have a long-term impact:

Bob and Rose both apply for a finance officer job. There are two vacancies and both are appointed. The jobs are both at the same level so they would be seen as 'like work' under the terms of the Equal Pay Act.

Bob has been working in finance for three years since he qualified. He asks for - and gets - a pay point above the minimum based on his salary in his previous job. Rose has worked in finance for five years since she qualified. She is appointed to the bottom pay point because she had three years out of the job market to look after her children and did not ask for any more, because she really wanted this particular job.

Time moves on with Bob keeping his pay lead. Promotion opportunities come up. Bob and Rose both apply and both are promoted, but because of his current pay lead Bob is appointed to a higher pay point. When they come to retire, Bob gets a bigger pension because it is based on final salary and length of service.

What lies behind the differences?

The answers to following questions can help you find out what lies behind any differences in starting salaries.

- What skills does a person need to get the job? Were you clear about these before the selection process took place?

- Who decides pay on appointment? The human resources department? The reward manager? The line manager?
- What kind of information do they have to help them come to this decision? Are they alert to the possibility of pay discrimination?
- How is pay on appointment decided? Does it depend on what the person asks you for? Is it the going rate for the job?
- What kind of evidence do you use to tell you what the 'going rate' or market rate is for jobs?
- What are the criteria for agreeing to pay someone more than the lowest point of the salary scale?
- What kind of pay system have you got?
- Have you carried out a job evaluation exercise to ensure jobs are fairly valued across the organisation?
-

What else do you need to be aware of?

Importing pay inequity from outside

When people move from one employer to another their previous salary often determines their starting salary in the new job.

Have you checked what their previous salary really was? Leaving it until the P45 (P60) turns up is too late. Men, white employees generally, and older workers may tend to 'talk up' what they earn; women, those from ethnic minority groups and young workers may be more reticent. And if a woman is returning from a career break she may have no up-to-date salary information. Do you know whether the previous employer had a fair pay system? Are you running the risk of perpetuating someone else's inequality?

Compounding pay inequity on promotion

As our example shows, applying a percentage increase on promotion can compound a pre-existing pay inequity. When deciding how much to pay someone who has been promoted, you should apply the same criteria as for salary on appointment. Narrow pay bands with no overlap between them would mean everyone who was promoted would start on the same point. This would ensure fairness and help control the pay bill.

Flexible starting salaries

Some organisations have found appointment on the minimum point of the scale is too rigid. They want the freedom to appoint on a higher salary in exceptional circumstances. This might be, for example, where the candidate brings specific skills and directly relevant experience that would minimise training costs. A solution may be to put an upper limit on the discretion allowed, such as no more than 5% above the bottom pay point. This may be acceptable in genuine cases, as long as women and men are considered on an equal basis. You need to be aware of the risks of starting external appointments on higher salaries than people promoted internally. These could include poor morale, resignations or a potential equal pay case.

Action - what you can do to put things right

Have a clear policy on starting salaries – and follow it

A starting salaries policy should state that new appointees to a post or grade (whether new recruits to the organisation or internal promotees) will commence at the minimum point of the relevant pay scale or range unless the individual meets the criteria for a higher point on the scale, in which case they will be placed at that point.

Do not rely too much on previous salary. Skills and experience (consistent with criteria for pay progression) should be the only criteria for appointing at above the lowest point on your pay scale.

If the market rate for the type of work can be demonstrated to be higher than the salary in accordance with the starting salaries policy, then the most transparent solution is to pay the additional amount as a separate market supplement.

Be clear about the skills needed to get the job

Most jobs require people to have some knowledge and skill before they are appointed. What skills must a new starter have as the foundation for their subsequent development and competency in the post? These could be skills gained through training, education or experience. Then look at the value of those skills. Review the value placed on formal qualifications. Are they still relevant and necessary? It is important to strike the right balance between relevant experience, vocational training and educational qualifications.

In looking at written applications, it is good practice to make them anonymous, so the people drawing up a short list do not know the gender or race of the applicants. You can then compare candidates against the required skills without the risk of bias.

Decide what evidence you will use to tell you what the going rate is for a particular set of skills

Evidence about market rates is best treated with caution. Don't rely on hearsay. And because market rates change over time, a market premium that could have been justified two or three years ago may not be appropriate now. Remember that a skills scarcity may be a short-term phenomenon, and may be confined to a particular geographic area.

Consider whether your pay system is contributing to the problem

Organisations often have different payment systems and starting salary arrangements for different kinds of workers, manual/non-manual for example, or collective agreements covering different groups. How many systems do you have? Is that justifiable?

Under your pay system, how long will it take the new appointee to get the rate for the job? The more complex and less transparent the system is, the more vulnerable it

will be to pay inequities. Systems based on broad bands and job families can cause problems. The narrower the band, the clearer is the justification for progression, which means less risk of problems. Even then, the way people progress will have to be carefully defined and the criteria used must be relevant. ([See checklist 6 Pay Progression.](#))

Consider whether the people making the decisions on starting salaries need any training in avoiding pay inequity

Managers don't always realise the risks involved in setting starting pay when they agree starting pay for a new recruit or promotee. It is important that people involved in making pay decisions are trained in the whole range of pay equality issues, including race, disability, age and contractual status (whether full- or part-time). Send them on a course or get professional advice - perhaps from [ACAS](#).

Make sure that decisions on starting pay are properly documented

It makes good business sense for employees to understand why they are paid as they are. It is also good risk management, because if you should ever be challenged in an employment tribunal, documentation will be essential. Properly documented decisions will enable you to explain your reasons.

FAIR PAY AT READING BOROUGH COUNCIL

Reading Borough Council is committed to equality, transparency and fairness across all of its activities and particularly in relation to the pay and conditions of its staff.

The Council strives to ensure that all staff are paid equally and fairly and has a range of policies and procedures to make this happen in practice. Staff Pay and Conditions are the responsibility of the Council's Personnel Committee (made up of elected Councillors) and is managed on a day to day basis by the Corporate Management Team (CMT) assisted by the Council's Human Resources (HR) Service.

For the majority of staff (including those at a senior level) the Council uses a Job Evaluation (JE) system to set pay rates for each post. JE allows for the duties and responsibilities of posts to be analysed and points are awarded from this assessment. The total number of points determines where a post fits within a grade structure and it is the grade that sets out the level of pay. It is by this means that posts within the Council are graded and form a hierarchy – from the Chief Executive downwards.

Each grade contains a number of stages within it (6 in total) called 'spinal column points' (sometimes referred to as 'scp'). Staff will normally progress from one scp to the other providing that they have performed satisfactorily during the year. This assessment of work performance is conducted through an annual appraisal. Each grade has a 'gateway' above the 4th scp through which staff can progress providing that they meet a predetermined performance criteria.

Some occupations within the Council are placed on a 'career grade' structure whereby staff move between 2 or more 'linked' grades to provide an integrated career pathway. Progression through the career grade will be dependant upon achieving defined skills and competencies and these are set out in each individual scheme.

Upon appointment to a post with the Council, staff are normally appointed at the bottom scp of the grade for their post. However, when applicants apply for work within a career graded post, they will be appointed to a scp in the grade structure which is commensurate with their evidenced skills and competencies. In addition, staff appointed to single graded post may be appointed to a scp above the 'gateway' if evidence of relevant skills of experience can be provided. Each appointing manager will discuss these principles with candidates at interview stage where necessary.

The rate of pay within each grade are increased from time to time in line with national pay awards (sometimes referred to as 'cost of living increases') negotiated between representatives of local employers and trades unions.

Details of the Council's JE scheme, grading structure and other payments that staff may be eligible to receive are readily accessible – either through the Council's intranet system (IRIS) or through request to either line managers or the Human Resources (HR) team. The Council regularly reviews its pay structures to ensure that they do not discriminate against any group of staff. All payment schemes are audited from time to time by HR and the Council's Audit team to ensure compliance.

EQUAL PAY 'IN A NUTSHELL' (Source: CIPD)

Equal pay is an aspect of sex discrimination law and has been in force for over 40 years. It gives the right for men and women to be paid the same for the same, or equivalent, work. Where men and women are paid at different rates for the same, or similar, work, the employer must prove that there is a reason for it which is not gender-related.

The legal position

The law on equal pay in the UK was introduced by the Equal Pay Act 1970. It is now contained within the Equality Act 2010.

The law gives a woman the right to be paid the same as a man (and vice-versa) for:

- like work, or
- work rated as equivalent by analytical job evaluation study, or
- work of equal value.
-

Like work is two employees who are doing the same or very similar roles.

Work rated as equivalent could be totally different jobs which have been given the same rating as the result of an analytical job evaluation scheme.

Work of equal value is when there are two jobs that are very different, but the employee claims that they require a similar level of skill and ability. For example, a female cook comparing her work to that of painters, insulation engineers and joiners who work for the same organisation.

The right to make a claim under equal pay legislation applies to employees, and also to anyone with a contract personally to carry out any work or labour.

In order to bring a claim before an employment tribunal for breach of the equal pay legislation, an applicant must point to a 'comparator'. A comparator is a person of the opposite gender, working for the same employer, doing like work (or work rated as equivalent, or work of equal value) who is paid more or has more beneficial terms and conditions of employment, than the person bringing the claim.

The comparator can be someone working for the employer at the same time or in the past. A comparator may even work for another employer as long as the inequality in pay is attributable to a single source (for example, within the public sector where there are employees doing similar work in several different locations). The comparator can also be hypothetical.

The law does not allow a contract of employment to be considered as more or less favourable as a whole than that of a comparator – that is to say, it is not a defence to a claim to say that a lower hourly rate of pay for one person is compensated for by, for example, a better annual holiday entitlement. The contracts of employment of the claimant and the comparator need to be compared side-by-side and clause

by clause. The claimant can effectively 'pick and choose' the most beneficial provisions from their own and the comparator's contracts.

Equal pay claims

Equal pay claims are dealt with by employment tribunals. An employee may bring a claim up to six months after leaving employment.

The person bringing the claim must show that, on the face of it, they are being paid less than a person of the opposite gender doing the same work. The employer is then required to give a non-discriminatory reason for the difference in pay.

The tribunal can order the following:

- a declaration of the claimant's rights
- equalisation of their contractual terms for the future
- arrears of pay for up to six years
- recommendations on how such inequalities can be addressed within the organisation.
-

To defend a claim an employer must be able to show:

- that the person bringing the claim and the comparator (or hypothetical comparator) are not engaged in 'like work', or
- that a bona fide and non-discriminatory job evaluation scheme has been conducted and the work is not 'rated as equivalent', or
- that the work is not of 'equal value', or
- that any difference in pay is due to a material factor or difference other than the difference of gender.

There are special rules of employment tribunal procedure for dealing with claims for work of equal value. This might involve the tribunal appointing an independent expert to investigate and report back.

The Material Factor defence

The employer has a defence to an equal pay claim if it can show that, although men and women are being paid differently for the same or similar work, the reason is due to a 'material factor'. This material factor must not itself contain any element of sex discrimination. A good example of a material factor would be a London Weighting allowance.

The 'material factor' defence can succeed only if the material factor itself does not put one sex at a disproportionate disadvantage. If there is such a disadvantage, it has to be objectively justifiable as a proportionate means of achieving a legitimate aim. For example, if the material factor was that the man was more experienced than the woman and the woman would find it more difficult to gain the experience because of career breaks for childcare reasons, then the employer would have to

show that it was justifiable to reward the additional experience by paying the man more.

Difficulties arise when the claim is for work of equal value between a woman and a man doing different jobs. The fact that there are historical reasons for the different pay levels is not sufficient to establish the defence. However, an employer might be able to show that the wage differences are a result of e.g. skill shortages or for night rather than day work.

READING BOROUGH COUNCIL
PAY AND GRADING ADVICE
INCREMENTAL PROGRESSION GUIDANCE NOTE

1. INTRODUCTION

- 1.1 With effect from 1 May 2011 there will no longer be automatic incremental progression; this will become performance based progression subject to an assessment of satisfactory performance.
- 1.2 The Council recognises that incremental progression is an integral part of its pay structures, but the need to ensure consistent and fair application of this progression and the need to have robust pay structures that do not put the Council at any financial or legal risk are of paramount importance.
- 1.3 The Council's appraisal scheme (separate guidance available) will need to be used consistently and effectively to ensure that there is evidence available to support the awarding of an annual increment. Increments will continue to be given within the grade and (dependent on meeting specific progression criteria) to progress through the grade gateway.
- 1.4 The date on which an employee commences employment with the Council shall determine when they are eligible for consideration of an increment.

Principles for progression are:

- That an employee should not have to wait longer than 12 months before they can be assessed to determine whether an increment can be awarded;
- That an employee should not receive more than one increment in any 12 month period - April to March.

2. Increments Post Employment

- 2.1 Assessment for satisfactory performance and subsequent award of an increment will be either by the use of the probation scheme or annual appraisal depending on their start date.
- 2.2 Employees who commence employment with the Council between **1 April and 30 September** each year will have an annual appraisal between the end of their probation period (if applied) and the end of February the following year. Subject to the satisfactory performance assessment being made they will then receive their annual increment on the 1 April following that appraisal (ie on or within 12 months of appointment)

2.3 Employees who commence their employment with the Council between **1 October and 31 March** will not become eligible for an assessment of their performance until after the normal date for annual increments (1 April). However, **at the point of six months completed service** they will be eligible for an assessment, this can either be the satisfactory completion of their probation, or in the case of an employee who is not subject to probation, then an assessment to determine satisfactory performance. If successful an increment will be awarded.

2.4 Employees who start work between October and March (see above) will be eligible for their next assessment of satisfactory performance in accordance with the annual appraisal process, with payment for satisfactory performance being made on the next 1st April following their initial assessment.

3. Spinal Column Point (SCP) on appointment

3.1 The starting pay point for all new employees should normally be the first point of the appropriate grade. Any proposal to place a new employee on a point above the bottom of the grade needs to be objectively justified (by reference to a 'material factor' reason) to protect the Council from an equal pay claim and to ensure employees are treated fairly. Any material factor which makes such a variation necessary needs to be established, evidenced and, where necessary, tested to ensure its robustness in the event of a challenge.

3.2 There is separate guidance on IRIS and a certification to be completed and submitted to HR if there is to be a variation from this general policy (see 'Starting Pay on Appointment - Guidance on Possible Variations to Council Policy'). There is also further guidance available from the Equality and Human Rights Commission: ['Equal Pay in Practice' \(Checklist No 5\)](#).

3.3 It will be standard practice to state in the job advert that the starting point will be at the bottom of the grade. Adverts for employment will say:

“Successful candidates will normally start at the first point of the grade to which they are appointed”

3.4 At the point of any assimilation to a new grade (including at the point of the introduction of the new Pay and Grading Structure), employees moving to a higher grade will be placed at the bottom of that new grade.

4. Accelerated increments post employment

- 4.1 There should be no accelerated incremental progression, only an annual assessment of satisfactory performance.
- 4.2 The only exception to 4.1 would be the progression within an existing career grade structure where skills and competencies (including academic attainment) have been achieved which meet predetermined career grade progression criteria.
- 4.3 The acceleration of an employee to the next increment, grade, or through the gateway of their existing grade, needs to be evidenced and certified by the Service Manager as meeting pre-existing and defined career progression criteria and approved by the Corporate Director. Copies of the evidence to support such a decision need to be placed on the employee's personal file held by HR.
- 4.4 Any career grade progression is conditional upon budget provision being available.
- 4.5 Employees successfully moving posts within the Council will be subject to the principle of annual incremental progression assessment. They will no longer receive an automatic increment 6 months after being in their new post.

5. Internal Recruitment

- 5.1 Where an employee has applied for, and been successful through an internal recruitment process and the grade for the new job is higher than their current grade then they will transfer to the bottom of the new grade. If this is at the same spinal column point (scp) as they are currently on then they will move to the next spinal column point.

6. Employees on Maternity Leave or Long-term Sickness

- 6.1 Employees who are on maternity leave or long-term sick leave will need to be monitored and an assessment regarding their eligibility for an annual increment should be carried out on their return to work. Failure to do so will be potentially discriminatory.

April 2011

1. How was my job evaluated?

Your job was evaluated using the national NJC JE scheme, through specialist software called "Gauge", as well as using local RBC conventions. These conventions provide a local interpretation of the scheme definitions and guidance notes and have been agreed with the Council's recognised trade unions.

The scheme uses your job description and looks at elements such as the demands of the job, the skills needed, responsibility for people and resources and work conditions.

2. What factors do you look at?

There are thirteen factors:

- Knowledge
- Mental Skills (eg analytical & problem solving)
- Interpersonal Skills
- Physical Skills
- Initiative and Independence
- Physical Demands
- Mental Demands
- Emotional Demands
- Responsibility for People
- Responsibility for Supervision
- Responsibility for Financial Resources
- Responsibility for Physical resources
- Working Conditions

3. Why does it have a different gauge code now?

The job may have significantly changed and been re-evaluated using the new scheme.

4. Will I be able to appeal against the evaluation of my job?

You will be able to appeal if:

- you have at least 6 months service at the time the scheme is implemented (although not if the post has been re-evaluated in the last 3 years)
- your post was evaluated as part of the initial job evaluation roll out, ie you were subject to a job evaluation interview with a job analyst and your job has not changed
- your post has not been reassessed by HR in the last 3 years
- your post has been benchmarked and you believe that the benchmark is not appropriate

The grounds for appeal are:

- the scheme has been wrongly applied eg the jobholder does not agree with the factor levels
- it is believed that an equivalent job in RBC is more highly graded and paid
-

5. If my job changes in the future how will I get it evaluated?

You will have to speak to your manager about having your post re-evaluated. A job should only be sent for re-evaluation if it has significantly changed or if it is a new post (new posts should be re-evaluated 6 months after the jobholder has been in post).

6. What types of staff are not included?

The following are not included:

- Teachers
- Staff on Soulbury
- Craft
- Youth and Community

7. When will I get my next increment?

If you are entitled to an increment on 1 April 2010, you will get one. You will then transfer across to the new spinal point on the new scheme.

8. Will I get automatic annual increments after that?

There will be **no automatic annual increments**, only a cost of living award. You will receive an annual increment subject to a satisfactory performance assessment based on meeting individual or group targets or objectives.

9. Will I be able to appeal against my manager's decision not to recommend an increment at my appraisal?

Yes. If you are unhappy with your manager's decision, you can ask for a review of the decision by your manager's manager. Reviews should consider evidence that criteria have or have not been met. That decision will be final.

10. What is a 'gateway'?

Depending on the grade, a gateway is 2 or 3 increments from the top of a grade. You can get to a gateway by receiving an annual increment as a result of meeting the core competencies that have been developed for your role. There will be **no automatic annual incremental progression**, only a cost of living award. You will receive an annual increment subject to a satisfactory performance assessment based on meeting individual or group targets or objectives.

When you reach a gateway, your manager will use progression criteria to assess if you have carried out all the duties of your job satisfactorily. These assessments must be carried out as part of ongoing performance management and personal development.

11. When will gateways be ready?

The progression criteria for moving through gateways will be finalised at the beginning of 2011.

MARKET SUPPLEMENTS

Purpose

1. Market supplements should only be paid where there is evidence that there is a genuine market justification (either the market salary for the job is higher or there is a scarcity of qualified people). These should be reviewed on a regular basis.
2. All such payments will be called market supplements and may be applied to improve recruitment or retention.
3. The process for introducing a market supplement is based on that agreed in 2001 and recently revised in 2007. This and the process for reviewing market supplements are set out below.
4. The determination of market salaries for particular jobs will be based on local, regional and national data (depending on the source recruitment area), based on comparisons between similar level jobs. HR will maintain a database of market information.

Criteria for Introducing Market Supplements

5. Problems with recruitment and retention may result from a number of factors, internal and external, one of which could be the rates for similar jobs paid in the external job market. It is important to identify any internal factors, which may be affecting recruitment and retention and deal with those first before deciding to pursue the addition of a market supplement.
6. Where recruitment and retention do not improve, a market supplement may be considered. In order to request the consideration of such a supplement, the Head of Service (2nd tier) must demonstrate that the following criteria are met and well evidenced:
 - There is a proven recruitment and/or retention problem with a particular post. Evidence should include unsuccessful attempts to fill the post over the past 12 months, or
 - There is a proven retention problem within that post over no less than a one-year period. Evidence should include staff turnover rates, stability indices, exit interview information, labour market information about skill shortages, and key worker information etc.
 - There is a mismatch between pay at the evaluated rate and pay for **comparable** jobs in the local employment market.
 - There is a strong and clear evidence-based argument for paying a market supplement based on research in comparable authorities. This evidence will be checked against corporate data (including NJC salary survey results).
 - Evidence that Equal Pay legislation has been addressed in making the proposal.
 - The cost of any supplements can be met from within existing budgets.
7. Market supplements must be calculated and applied consistently between directorates. It must take the form of a cash sum and **not** a percentage rate.
8. The supplement will be reconsidered at least annually, following an objective review of the market rates
9. The employee's contract of employment and statement of main terms and conditions of employment should include a statement to this effect, ensuring that

they are aware that the supplement may be removed or altered depending on the review of the market.

Process for Introducing Market Supplements

10. The Head of Service should calculate the level of the proposed supplement, depending on the evidence they have found from the above criteria. They should consult their HR Partner with the details and confirmation that the criteria have been followed.
11. It is for the Head of Service to produce the documentary evidence. The HR Partner will test the proposal against corporate data. The role of the Head of HR is to ensure that the criteria for market supplements are applied consistently across the authority.
12. When the above criteria have been tested, the documentary evidence produced and the proposal verified against corporate data, this should be submitted to the Director. If the Director supports the request, it should be presented to CMT for consideration and assessment for corporate consistency. The final decision rests with the Chief Executive, in consultation with the Director of Resources and Head of HR.
13. The decision will need to be recorded and documentation retained by HR for the personal file. HR will also process any change in pay through to the Payments Section.
14. The supplement should also be applied to existing employees in the same post.

Review Process

15. It is important that market supplements are reviewed in order to ensure they are still applicable. Each market factor will be reviewed on an annual basis as follows:
 - HR Partners will work with Heads of Service to monitor each market supplement and confirm review dates and decisions. Normally, the review date will be on the anniversary of the supplement's introduction.
 - The Performance Improvement Team will keep an up to date record of market data nationally, regionally and locally for a range of jobs against which the supplements will be compared
 - The Performance Improvement Team will assess all jobs currently attracting a market supplement and/or scarcity premium against this central data no later than the anniversary of the implementation date.
 - If the supplement is still applicable, the directorate manager will be informed and the supplement will be retained
 - If the supplement appears to be no longer appropriate, the manager will be informed and further research will be carried out to confirm the situation
 - If further research confirms that a supplement is no longer appropriate, the Head of HR will inform the appropriate Head of Service and the employee will be given 3 month's notice that the supplement will be removed
 - The Head of HR will need to be informed of any change or deletion of market supplements.

P&G April 2008

NJC JOB EVALUATION PROCESS

Implementation with effect from 1 May 2011

Aim of the Process

The following process is aimed at ensuring job evaluation will be:

- Carried out on a consistent basis
- Maintains a job hierarchy, which reflects Council values and a consistency of levels between jobs of equal value
- Fairer to employees as it values jobs within the hierarchy rather than used as a method of increasing individual salaries
- Consistent to ensure that internal relativities are fairly expressed as the basis for the pay structure
- Supports the pay structure

At a more detailed level it will ensure:

- It is the value of the job, which determines its place in the job hierarchy
- Similar jobs are similarly graded
- The grading structure is up-to-date
- Jobs evaluated by HR staff in conjunction with managers
- Consistency tests will be carried out by HR

Principles of the Process

- Jobs are evaluated by HR staff in conjunction with managers
- Consistency tests will be carried out by HR
- Regular equality reviews will be carried out along with the consistency tests
- A full equality audit will be carried out annually
- A generic job title will be recorded on the job description wherever possible, which is representative of the work carried out. **It is important that job titles do not change where the work does not change significantly for job comparison purposes and equality reviews. The job title will be linked with the Gauge job evaluation code and remain with the job until it is re-evaluated**
- There should be no change to any job title unless this has been agreed by the HR Partner, endorsed by the PI Team and documented by REST.
- Job Analysts will be trained in the Gauge JE scheme
- In line with the national conditions of service "right to appeal for reconsideration of grading" ¹, employees have the right to request an evaluation of their jobs, where there has been significant change in a job since it was last evaluated.

The following sets out the details of the process.

The Process

1. Jobs will be evaluated where they:
 - Are new (i.e. jobs that are significantly different to any existing jobs in the Council) or
 - Have significantly changed since the last evaluation.

- Where it is considered there is an equality challenge in comparison to other jobs within the structure
2. Managers and employees may request the evaluation of jobs.
 3. The manager should send requests for evaluation to the appropriate HR Partner, using the pro-forma attached as Appendix A, this should include confirmation from Head of Service that there is approval to proceed with evaluation request.
 4. At this point, the details of the post to be evaluated will be entered by DST onto the Gauge spreadsheet.
 5. An employee may submit a request for an evaluation to the manager, where:
 - There has been significant change in a job since it was last evaluated, or
 - The job is considered to be similar to a job within the structure, which is evaluated at a higher level.
 6. If the manager agrees, the employee and manager will draw up a job description for submission to HR.
 7. If the manager does not agree that change has been significant, the manager and employee may ask the appropriate HR Partner to decide whether the change is significant in job evaluation terms.
 8. Analysts will then need to consider the most appropriate course of action from the following:
 - a) Use Gauge, consulting where appropriate with the line manager to analyse each factor to determine an evaluation grade.
 - b) Jobs previously evaluated on Gauge can be used as guidance to scoring levels. However no amendments can be made to these, a new separate evaluation will need to be carried out.
 - c) Wherever possible use a job previously evaluated on gauge as a benchmark to assess the job, providing evidence to support the judgement, liaising with the line manager to agree appropriate spread of factor levels. The evidence should include Job Description and reason for choice.
 9. In the case of new Council jobs, there may need to be a Gauge review, conducted by DST with the manager after it has been occupied for 6 months in order to check that the demands of the job have worked out in practice, followed by an assessment by the PI Team.
 10. DST will enter the post details onto the Gauge sheet and ask PI Team to conduct a check to ensure cross directorate and corporate hierarchy consistency is maintained.
 11. PI Team will inform DST when the checking process has been completed and then DST will inform the manager of the outcome of the assessment.
 12. When the result of the assessment has been sent to the manager, DST will put the JD in the appropriate folder within Pershare.
 13. It is important that the JE process is applied consistently to ensure the integrity and equality of the job hierarchy.
 14. The Performance Improvement Team will review the job hierarchy on an ongoing basis. They will:
 - Review the consistency of the structure every 6 months

- Review jobs which have not been evaluated in 3 years and submit any which have changed for evaluation
- Conduct an equality audit annually and submit any jobs for evaluation as necessary
- Conduct quarterly JE Moderation to review and monitor gauge assessments.

APPOINTMENT OF A CANDIDATE ABOVE THE FIRST SPINAL COLUMN POINT ON THE GRADE

EVIDENCE OF OBJECTIVE JUSTIFICATION

This certificate should be completed in all cases where a candidate for a post in the Council is appointed to a point in a grade other than the first spinal column point (scp), signed and submitted to HR.

A copy of this certificate should be held on the employee's personal HR record and not removed

I confirm that (name of employee) _____ is to be appointed to scp _____ of grade _____ for the following reason(s) –

Either

That they have sufficient evidenced skills, experience and / or qualifications to meet the requirements of an existing career progression scheme as set out overleaf.

YES / NO

And / or

That they have skills, experience and / or qualifications to move past the gateway in the above grade and be placed at the first scp after that gateway.

YES / NO

Please make a summary note overleaf of the details of the relevant career progression scheme / agreed gateway criteria as well as a note of the source of the evidence that has been reviewed and assessed (eg job application, interview, references, assessment tests, certificates) and attach any relevant evidence to support this certificate.

Failure to complete this certificate and attach relevant evidence may lead to the employee not being appointed to the recommended scp.

I hereby confirm that I have carried out the assessment summarised in this certificate (above and overleaf) and that the details contained and attached are accurate as far as I can reasonably ascertain.

Signed _____

Name _____

Post Title _____

Date _____

This certificate must be completed and signed at Service Manager level or above.

SUMMARY OF EVIDENCE REVIEWED TO MAKE THIS ASSESSMENT

(eg job application, interview, references, assessment tests, certificates) and attach relevant evidence to this certificate

Objective Justification Examples

Objective justification for paying above the bottom point of the grade will come either from information gathered during interviews, observations, etc. at the point of recruitment, or from assessed performance if the person is already employed at the school and is moving into a new role.

It is based on existing skills and competence and how they support performance at a level above the bottom of the pay grade. Typically this will be to justify payment above the grade gateway.

Example 1

Criteria – Work with the teacher in lesson planning, evaluating and adjusting lessons/work plans as appropriate (from TA matrix).

Objective justification – Mrs X has demonstrated the cycle of planning, delivery, assessment and adjustment through her work with a group of children struggling with literacy. Her assessment of the particular needs of the individual pupils in her group was fed into the planning she did with the class teacher, and this was evidenced through the planning schemes she had in her portfolio. A specific activity was planned in for those children which was fun and interactive, and progress with this activity was then fed into planning how to move the learning on. By the end of term 3 Mrs X was responsible for identifying and planning in progressive activities for the group, and by the end of term 6 the individuals in the group had exceeded expected progress.

Example 2

Criteria – Operate complex systems (from School Administration matrix).

Objective justification – Mr Y has been responsible for a personnel database in his previous role, his role included maintaining the data, applying upgrades to the system, running reports from it and analysing the data ready for presentation in committee reports. During the 5 years he managed the system he also audited the system to check it was being used correctly and effectively, and through this he also identified and implemented changes to the system to create a closer fit with the needs of the business. This provided evidence of the use and management of a complex database, and showed transferable skills.

Example 3

Criteria – As key worker to individual children, maintaining good links with the parents and other professionals involved with the child/family (adapted from sample JDs).

Objective justification – Mrs Z has been working in a key worker role for several years in another school. She demonstrated a high level of competence in managing relationships with parents and professionals, and in maintaining contact. Evidence

came from a number of examples including the case of a pupil who had behavioural issues that manifested as aggression and a difficulty with interacting with her fellow pupils. The child had been excluded for a day as a result, a move the parents were unhappy with. Mrs Z was able to discuss the situation with the parents and agree a strategy to help manage the child's behaviour in the classroom short term, but also to identify triggers and effective interventions from colleagues to address it long term. The parents were supportive of the ongoing efforts, and the child's behaviour improved in response.

KAB March 2014

OVERTIME PAYMENT POLICY

Wef 1st May 2011

Overtime is time worked beyond the individual's contracted hours (as agreed and authorised by management). The rate paid for overtime will depend on the number of hours worked during the employee's working week (averaged out as appropriate) and when it is done. In Reading Borough Council, for the majority of employees, full time work (FTE) is 37 hours per week.

Overtime hours must be agreed by managers, and will be paid at the rate for the work to be carried out. The following multipliers will be applied:

Rate of Pay	Hours/Time
Plain time	All hours below 37 (those which are part of shift working will be paid with the appropriate shift allowance)
Time and a half	All hours beyond 37 hours per week Monday to Saturday
Double time	Sundays (i.e. time worked + plain time)
Bank Holiday / Public Holiday Working	Employees who do not qualify for a shift percentage (see below), but are required to work on a bank/public holiday as part of their normal working week or pattern, will be entitled to payment for the hours worked at plain time (in addition to their normal day's pay) plus a day off in lieu. The same payment will be made to staff who volunteer to work on a bank/public holiday.
	If an employee in receipt of a shift percentage is required to work on a bank/public holidays as part of his/her normal working week or pattern, they will <u>not</u> be entitled to receive any additional payment for working these days. They will receive a paid day off in lieu to compensate for their entitlement to a bank or public holiday.

NOTES

STAFF GRADED RG5 AND ABOVE

1. Staff paid RG5 or above are not eligible to claim overtime except for planned overtime, but additional hours worked over and above an employee's contracted hours should, wherever possible, be taken as time off in lieu (TOIL).

2. Staff paid at RG5 and above may also be eligible for a one off honorarium payment if they volunteer or are directed to assist in dealing with an emergency response in accordance with the relevant contingency plan or [Policy in the Event of Disruption to Staffing](#). (See also Policy for Additional Payments for NJC Staff for further details). Other NJC ('Green Book') Staff (or those on non NJC grades) will be paid in accordance with their existing terms and conditions in the event of (2) above.

STAFF WORKING IRREGULAR PATTERNS – THE 'BALANCING PERIOD'

3. Where staff work irregular (or flexible) patterns of work, then the total number of hours worked should be averaged over a defined 'balancing period' (eg the 4 week 'flexi period' or an appropriate period for the service needs). The total number of (FTE) available hours in that balancing period shall be 37 x the number of weeks.
4. For a **full time** member of staff, where the total number of hours worked exceeds the total number of FTE available hours in the balancing period (over and above any flexible working agreed carry-over between periods), then the balance will be paid as overtime as defined above (Monday–Saturday or Sunday rates as appropriate).
5. **Part time** staff who work in excess of their contracted hours, but in total less than the number of FTE available hours in the balancing period, shall receive payment for the additional hours worked at plain time rate. Any hours worked above the total FTE available hours in the balancing period shall be paid as overtime as defined above (Monday–Saturday or Sunday rates as appropriate).

Leading the Way – Managing People Performance

PERFORMANCE RELATED PROGRESSION SCHEME

Introduction

This appraisal scheme has been developed and adopted in support of the Council's pay and grading structure. It has been agreed with recognised trade unions and provides the framework within which staff performance is monitored, targets are set and decisions around pay progression are made.

It is recommended that schools adopt the scheme as consultation has already been undertaken.

What is people performance management?

Managing and developing staff performance contributes to continuously improving the delivery of education in schools and it is vital to meeting new challenges within the ever changing and demanding education environment.

Schools performance management systems should link the School Development Plan into individual objectives and the appraisal process is the mechanism to allow for this.

In summary, therefore, the appraisal system:

- Aligns an employee's work targets to the School's aims and priorities
- Provides clarity to all staff on what is expected of them in terms of their tasks and their attitudes and behaviours
- Provides ongoing feedback and support to help staff achieve their targets as well as developing their skills and careers

What is the purpose of an appraisal?

[Please note that this document uses the term 'targets', this is interchangeable with the word 'objectives'.]

A formal means of 'taking stock' of an employee's overall performance by considering work targets and competencies in order to:

- Assess performance (and celebrate achievements) against last year's targets and decide whether an increment should be awarded
- Identify and agree next year's targets, including measures needed for improved performance

- Agree personal learning objectives and learning & development plans which build on strengths and help improve weaker areas identified.
- An opportunity for the line manager (appraiser) and employee (appraisee) to meet formally to discuss, constructively and frankly, the employee's performance, successes, problems, attitudes and development
- Ensure that individual performance is consistently evaluated
- Clarify an employee's roles and objectives
- Provide an opportunity for the employee to give feedback on the communication and support coming from the line manager
- Enable issues such as wellbeing and workload to be assessed and addressed.

RBC Core Competency Framework & Appraisal

RBC have developed a Core Competency Framework, included in this scheme, through which staff performance can be assessed and staff development supported. Through the appraisal and supervision process, the levels of performance against any competency targets used are assessed which highlights strengths and any 'gaps' for development or learning. This will cover development within the individual's current role, but also development for future roles and career progression.

What is a Core Competency?

- A competency is defined as 'an ability based on behaviour'.
- Therefore, the importance of *WHAT* staff do in carrying out their roles, sits alongside *HOW* they do these things.
- The Core Competency framework describes the range of behaviours expected of managers and staff in carrying out their roles. This will be assessed through a combination of achieving targets and the demonstration of competence.
- It is possible to achieve targets without demonstrating the required competencies, and vice versa however this will not constitute good performance.
- In order to be regarded as performing well you will need to achieve targets in a way that upholds the competencies.

There are 7 Core Competencies and these can be found in Appendix 3. The Core Competencies may be more relevant to some school posts than others, and as such are included in this scheme for use where appropriate.

What is the link between appraisals and one-to-one supervision?

Both are part of the Council's People Performance Management Framework and provide a means for employees to know how well they are performing and to discuss further support, learning and training.

All staff should receive supervision in some form, commensurate to the level and nature of the job, the physical proximity of the manager and his/her employees and how the team operates. This could take the form of regular meetings or may be more informal for example through regular communication between a teacher and a TA.

Individual work programmes are developed from the appraisal and monitored through supervision sessions. Topics discussed in supervision may be drawn out in appraisals.

How often do appraisals take place, and when?

The achievement of targets in the preceding year determines whether there is incremental progression (if the grade bar has not yet been reached), and under Green Book terms and conditions increments are awarded on the 1st of April each year.

There are two suggested annual appraisal cycles for schools:

1. Full appraisal takes place towards the end of the academic year to align with the school year followed by a mid-year review of progress in the Spring so that incremental progression can be agreed or rejected for 1st April. Whether an individual is awarded with an increment will rely on targets being met at the full appraisal and continued good performance up to the mid-year review meeting.
2. Full appraisals take place during the Spring so that targets are reviewed and progress assessed close to the increment date. This has the advantage of using up to date assessment, but may not fit so comfortably with school development plans which may be aligned to the academic year.

Any school is free to adopt either of these models, or to work to a different cycle if that is more appropriate. The key is that the principles of target setting and review are in place. The terms and conditions of employment for staff (Green Book) require that increments are awarded on the 1 April regardless of the appraisal cycle.

Award of Annual Increment

Achievement of Targets / Objectives:	Increment Awarded?
All targets / objectives rated as 'Met'	<input checked="" type="checkbox"/>
70% or more targets / objectives rated as 'Met'	<input checked="" type="checkbox"/>

70% or more targets / objectives rated as 'Met' with others showing <u>declining</u> performance	<input checked="" type="checkbox"/>
Less than 70% targets / objectives rated as 'Met'	<input checked="" type="checkbox"/>
Any employee subject to the formal capability (poor performance) or disciplinary procedure in the 12 months leading up to 31 st March *	<input checked="" type="checkbox"/>

*where such a case is subsequently dropped or no action taken, the increment should be restored if the other requirements had been met

It is the responsibility of the line manager during the annual appraisal meeting to identify (and recommend) whether an increment should be awarded, in accordance with the table above. The decision must be endorsed by the Headteacher and signed off by the Headteacher only.

Appraisal Process and Forms

Who is the appraiser?

Usually the appraiser is the line manager of the appraisee. The Headteacher will decide who will carry out staff appraisals. If a school has more than one appraiser, consistency of approach will be important, when looking at performance standards, target setting, etc.

Before the Appraisal

The appraisee must be informed that their appraisal is coming up and asked to reflect on how they have met last year's targets, and what they might need for next year in terms of development.

Appraiser

- Arrange the appraisal interview date well in advance
- Book a room and allow enough time to work through the appraisal properly. The time needed for an appraisal will be influenced by a number of factors including complexity of the role of the appraisee or whether there are any performance / relationship problems. Interruptions should be avoided.
- Have reviewed last year's appraisal and targets, supervision notes, development plan and other relevant information to help inform the discussion.
- Gather any necessary evidence to support the discussion around performance – your observation of activities, previous experience, satisfactory completion of training & other development activities, completion of targets/projects, feedback from third parties/customers/clients.
- Understand the targets that will be needed in relation to the school development plan, etc. for next year, as well as considered targets drawn from the job description, person specification and core competencies.

- If the employee is at the gateway of their grade and the grading allows for progression, targets will need to address the gateway criteria the employee must meet to progress.

Appraisee

- Think about what you have achieved over the last year in relation to your targets and any other achievements, what you are particularly pleased with and why
- Think about what did not work or what you were less pleased with and why. Consider any additional training or support you may require.
- Re-read your Job Description, Person Specification, and the targets you are being reviewed against
- Think ahead to next year's targets, and your own development needs

During the Appraisal

- Remember that appraisals are a two way process and, wherever possible, appraiser and appraisee should work towards agreed solutions.
- Ensure there are no surprises at the appraisal meeting, both parties should have taken the opportunity to review progress on a regular basis throughout the year during supervision.
- Use a coaching style of open questioning and listening; asking questions to gain greater clarity on what and how objectives have been met
- Be prepared to offer and accept honest, constructive feedback. Listen to what is being identified as a support need. Be open to suggestions. Be prepared to put forward views.
- Ask questions where necessary and allow enough time for them to be answered.
- Recognise and praise good performance.
- Be honest where there may be other factors affecting work performance e.g. relationships with colleagues, personal issues, illness. This appraisal may provide an opportunity to raise these factors but they may ultimately have to be progressed elsewhere such as in the supervision meetings. However, as they may represent barriers to achieving targets, they need to be recorded at the appraisal.
- Be specific about any concerns and provide examples and evidence to reinforce comments. The assessment must be as objective as possible and reflect actual performance.
- It is important that an action plan is developed to build on strengths, develop potential and address weaknesses. This may involve training, mentoring, coaching, placements and other developmental methods.
- Include any help or support the appraisee may need to make actions happen and set a review date to ensure that the plan is followed up and monitored.

After the Appraisal

- Appraiser and appraisee should agree a written work programme (if appropriate to the job role), based on the targets agreed in the appraisal
- A written and clear record of what is agreed must be made on the appraisal form (see Appendix 1 for a template appraisal form). Schools have the option of either the appraiser or the appraisee writing up the appraisal form. Both parties should sign the form, noting any disagreements or inaccuracies.
- The forms will then be passed to the Headteacher to check and approve. It will then be passed back to the appraiser who will ensure that they keep a copy, give one to the appraisee and place another on the personal file.

Monitoring Appraisals

- The Headteacher will ensure that appraisals are carried out for all staff.
- The Headteacher will review the completed appraisal to check whether it has been conducted properly and consistently.

Appraisals for Joint Teams/Secondments

The appraisal will be conducted by the host manager in accordance with either the employer's or the host school's process, as long as the employing manager is satisfied that it meets their standards and expectations. There may be an agreement for a three-way appraisal or some written input from the employer.

Copies of the appraisal records should be retained on the employee's personal file that is held by the employer.

Personal Appraisal Self-Assessment Option

Some posts in schools are limited in scope and it will be difficult to identify a significant number of targets, likely posts will be cleaners and lunchtime controllers, and there may be others. It may not be possible to choose a target from each of the target areas set out later in this scheme, instead a target/targets should be used that meet the needs of the role and school.

There are three options for completing appraisals for staff in these posts:

- Use the scheme set out in this guide, and adjust the number of targets to suit
- Use a form based feedback method which does not involve an appraisal meeting. See Appendix 2 for a template self-appraisal form. A meeting can be held if the employee requests one or the line manager has any concerns.
- You could meet with the group of staff together to review last year's performance and set targets for the coming year, this could then be recorded using an adaptation of the form in Appendix 2 and shared with the staff for their reference. Note if any member of the group is underperforming they will need to be met with separately.

If there are performance capability issues with an employee who would usually do a self-assessment in the school, then a meeting should be held between the employee and the line manager to discuss the specific problems and overall performance, and to complete the self-assessment form together.

How to complete the Appraisal form

1. Learning and Development Plan

- This section should be used to record agreed areas for learning and development needed to undertake the current role and meet team/school development plan targets and performance.
- Consider the personal development needs of the individual in order that they are provided opportunities to progress to different roles or to gain relevant qualifications
- Consider any learning and development needs arising from the Core Competencies criteria.
- When agreeing personal learning and development needs, consider the best way in which these might be achieved. This could be by attending training courses, but could also include shadowing, coaching, mentoring, e-learning or secondment.
- Timescales for meeting learning and development needs should be discussed, agreed and recorded on the appraisal record form.

2. Job Description

- This section should be used to review the employee's job description and person specification. The review should consider the job role as well as the skills, abilities and competencies that the job holder requires.
- If they are out of date, they should be reviewed to incorporate any change of responsibilities and working patterns. Please ensure that if there is a generic job description applicable to a group of staff, those job holders are all consulted on any changes.
- If the changes are significant, a re-evaluation of the grade may be required. All revised job descriptions should be sent to Human Resources.
- Where the level of responsibility for Health and Safety has changed, the job description needs to be updated and a copy must be sent to Human Resources.

3. Review of targets set at last appraisal

- This section should promote discussion about targets set at the last appraisal. These targets should be reviewed and any progress noted on the appraisal form.
- Record the extent to which the target has been met using a simple scale, suggested scales include "met", "part met", and "Not met" to show degrees of achievement. Any school is free to decide on a scale, the key is that this is clearly understood and consistently applied by all appraisers in the school.

- A top score would be for a fully met target, with degrees below that. It may also be applicable to note where performance has exceeded the target.
- Evidence and examples of how the target was met should be recorded.
- If targets were set to establish if there should be pay progression through the gateway this also needs to be reviewed as part of the appraisal.
- Any barriers to completion of targets should be recorded and further discussion should be allowed to take place about how these barriers could possibly be overcome and any actions agreed.
- Once you've discussed and scored all targets, discuss the overall spread of scores.
- Discussion should take place about any additional achievements to the targets set at the last appraisal. This could include a good piece of work, examples of good customer service, demonstration of using initiative or team working. It could be a project that was not identified at the last appraisal, but has been a significant part of the year's work programme.

4. Targets for the next 12 Months

This part of the appraisal interview is an opportunity for the Appraiser and the Appraisee to identify priorities for the year ahead and agree targets.

You are asked to set up to 10 targets, depending on the "size" and scope of the job role. The aim is to have a well-balanced number of targets adequate for the job role to realistically manage performance.

For example:

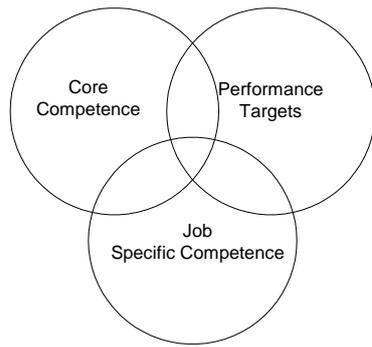
- School Manager could have up to 10 targets
- TA may have 6 targets depending on the level of the role
- Clerical assistant may have 4 or 5

You may also wish to have fewer targets that have a broader coverage, for example an overall target may be to complete a project to 'Improve the school administrative function' which is then broken down into systems reviews, staff training, and process reviews.

There are three areas from which the targets can be selected:

Individual

- “What” strategies.
- These are the



performance targets:

targets that are linked to the School Development Plan and other key things that should be in the control of individual.

Where appropriate to the role, there should be at least 1 of the targets set with these.

Further information can be found in the School Appraisal Scheme for Support Staff.

Progression Within the Pay Structure

Purpose

1. This paper sets out the Council's approach to progression within the pay structure. The following scheme includes incremental progression, progression through gateways within grades and between grades.
2. The scheme has been set up in order to ensure the following aims of the Pay & Grading review:
 - A pay structure which is cost effective and avoids wage drift
 - A pay structure which supports performance management, employee development and therefore improved service delivery
3. The aim of the following principles and process are to:
 - Ensure satisfactory performance
 - Avoid wage drift in longer grades and
 - Provide flexibility where employees are prepared to take on agreed additional/ wider responsibilities (additional or wider responsibilities would have to meet JE factor definitions to ensure consistency and fairness)

Scope

All NJC employees

Principles:

- No automatic annual incremental progression, only cost of living award.
- Progression up to the 'gateway' within the grade will be subject to a satisfactory assessment of performance and contribution based on management evidence throughout the year (a process will be developed to ensure satisfactory performance and contribution is demonstrable and measurable; this will also remind managers that they must confirm the increment) (see below for outline mechanism)
- Establish gateways 2 or 3 increments from the top of each grade depending on its length; the line of best fit will be the basis for this and each gateway would therefore represent an appropriate percentage through the grade points (see below for example)
- Progression within a grade beyond the gateway will be for wider responsibility which meets agreed competency levels, based on JE factor levels
- Progression between grades within career grades will be dependent on meeting competencies at the next grade level
- One appeal level above approving manager (i.e. designated officer or Head of Service)
- Regular supervision and appraisal are fundamental to employee progression
- Monitoring will be by the Performance Improvement Team, see paragraph 28.
- The rules will be applied consistently and even-handedly
- The rules will be transparent and will be communicated clearly to all staff

Introduction of the Scheme

4. We will need to establish the following before implementing the above principles fully and would therefore propose to move fully towards this position over the next two years.
5. However, to ensure equality within the pay structure, it is accepted that the gateways will be established when the new structure is implemented and that where there are currently no criteria for progression beyond the gateway, they should be established as soon as possible but within a year of implementation.

Establishing Gateways within Grades

6. Gateways will be established at implementation of the structure in grades 2 to 9. All employees in substantive posts within Grade 1 will be paid on the top point (spinal point 11) in line with the Council's Policy on Low Pay. Within grades 3, 4, 5, and 8 the gateways will be placed 3 increments from the top and 2 increments from the top of grades 2, 6 and 9. Grade 10 has only 4 increments and will have no gateway.
7. The following is an example of the basis for placing a salary gateway. For instance RG3 has a spread of 63 points. A gateway placed 3 increments from the top of the salary band of 7 points would be 71% through the salary band. This equates to 351 in terms of grade points (see [new NJC pay structure](#) for all gateway points).

Developing and Establishing Criteria

8. Existing career grade criteria will be mapped across to the new structure based on the new JE scheme factor scores, as is the case for career grades currently. Criteria for other jobs will be developed as soon as possible based on the following:
 - Core – related to the values (customer service, working with others, contributing to team work, or changes to improve efficiencies); these are the behaviours we expect all staff to exhibit to be used for establishing satisfactory performance and measuring contribution
 - Generic – 'job family' groups, such as administrative, clerical and secretarial, care jobs, jobs working with children, management, customer service jobs, and professional groups; these are skills and competencies we expect staff to demonstrate at different levels within these occupational groups based on JE factor definitions and local conventions
9. HR and managers will develop these criteria, which will be endorsed by the moderation panel, in terms of the JE matching. They should be:
 - Based on JE levels
 - Used to widen roles and support development (opportunity should be provided for this development)
 - Applied in practice, not merely attained, before progression can be agreed
 - Large family groups should be done first
 - Checked for potential bias and impact on men and women

10. The job evaluation scheme can help in developing criteria by providing definitions of skill or responsibility requirements, which position jobs in the top quartile of the grade. In the RG3 example above, the range of levels in all factors is between 1 and 4, with the majority in 1 to 3. Above 351 points, jobs tend to score higher in the following factors:

- Knowledge
- Mental Skills
- Interpersonal Skills
- Initiative & independence
- Mental Demand
- Responsibility for people
- Responsibility for supervision

Training and Support

11. Over the next 1 to 2 years, we will need to:

- Embed appraisal across all directorates – increase current numbers
- Establish a system of gathering evidence for satisfactory performance
- Train managers in their
- Train those involved in the design and implementation
- The training will cover equal pay principles & the avoidance of sex bias, in line with the Authority's equality in employment policies
- Monitor supervision and appraisal and provide supporting mechanisms

Annual Incremental Progression

12. From the date to be agreed, employees will receive an annual increment subject to a satisfactory performance assessment based on meeting individual or group targets or objectives. Incremental progression will continue in line with the NJC terms and conditions of service until this date.

13. Managers will need to agree these objectives with individuals or teams for the coming financial year in line with the service planning and budgetary process. Objectives and targets must be measurable and contribute to service provision. Managers should use all available information to establish and measure objectives and targets, such as national and local performance indicators, customer feedback, inspection feedback and efficiency requirements.

14. The manager must decide whether to award incremental progression and inform employees accordingly. To ensure that decisions are captured, managers must 'sign off' their decisions and notify payroll by mid February so that increments can be provided for within directorate budgets.

15. HR will monitor whether decisions have been made through the payroll/HR system and remind managers who have failed to indicate whether their employees should receive an increment.

16. Employees should have heard whether they are to receive an increment by the end of January each year. If not, they should remind their managers and may contact the Performance Improvement Team in HR or their trades union representative if a difficulty arises.

17. HR will also carry out sample checks each year to ensure that managers are following the process and making informed decisions.

Progression Beyond the Gateway

18. Where the job evaluation points for a job are above the gateway points, the manager should progress an employee through the gateway as long as they are able to carry out all the duties of the job satisfactorily.
19. Where they fall below, the manager will need to assess whether the employee meets the established criteria in order to progress the employee through the gateway.
20. Managers must carry out these assessments with employees as part of ongoing performance management and personal development.

Progression Between Grades

21. Progression between grades will be through the following routes:
- Successful application for a vacancy
 - Career grade progression
22. Progression between grades within a career grade will be dependent on:
- The employee meeting the criteria for the next grade
 - There being work available at the next grade level
 - There being sufficient funding within the appropriate budget
23. In managing career grade schemes, managers should keep their employees' performance and development under review as an ongoing process, including supervision and appraisal. In this way they can plan for employee progression over the longer term.
24. Where there are generic jobs across the Council, which are part of a career grade scheme (for example the Finance community), vacancies will be ring fenced to those employees whose managers have agreed are ready for progression to that level.

Appeal

25. It is recognised that for the progression mechanism to be effective, it must be applied and be used in a consistent manner. For this reason, it will be subject to the following:

Progression Beyond the Gateway

26. Decisions to progress an employee beyond the gateway will be made where the employee meets the established criteria. In the event that the employee is unhappy with the manager's decision, then the employee will have the right to seek a review of this decision by the manager's manager. Reviews should consider evidence that criteria have or have not been met. This manager's decision will be final.

Progression Between Grades (Career Grades)

27. Key decisions about whether or not progression criteria have been met for progression between one grade and the next within a career grade should be submitted to a more senior manager for approval. Such submissions should contain evidence that criteria have or have not been met. In the event that the employee is unhappy with the decision of either their supervisor or the more senior manager, then they will have the right to seek a review of this decision by the Head of Service. The Head of Service's decision will be final.

Monitoring

28. The Performance Improvement Team in HR will be responsible for ongoing monitoring and maintenance:

- With the payroll section, carry out a 10% sample check each year to ensure that managers are following the process and making informed decisions
- With managers, monitor the continuing relevance of gateway and career grade progression criteria annually
- Through annual sample checks, monitor the use of the progression principles both beyond the gateway and within career grades to ensure that their application is consistent and in line with the Council's equality in employment policies
- Appraisal will continue to be monitored under the Council's corporate equality monitoring framework

Shift Model - Category Criteria

5%

- Works outside plain time 7am and 8pm Monday to Friday
- Works at least 2 shifts per week (i.e. a recognised 7 day period)
- Works more than six full hours outside plain time on average over a rota period **OR** at least one Saturday or Sunday in a 4 week rota period
- Days **and** hours are a regular pattern every week
- May vary from time to time (up to 2 times a month or rota period)

10%

- Works outside plain time 7am and 8pm Monday to Friday
- Works at least 3 shifts per week (i.e. a recognised 7 day period)
- Works more than 8 full hours outside plain time in a 4 week rota period
- Days **or** hours move as part of a regular pattern every week, i.e. 5 out of 7 days, **OR** same days each week but a mixture of 'earlies' or 'lates'
- Patterns would normally be regular so that patterns repeat within the 4 or 6 week rota

15%

- Works outside plain time 7am and 8pm Monday to Friday
- Works at least 3 shifts per week (i.e. a recognised 7 day period)
- Works more than 12 full hours outside plain time in a 4 week rota period
- Days **and** hours move as part of a regular pattern every week, i.e. 5 out of 7 days and a mixture of 'earlies' or 'lates' outside plain hours
- Patterns would normally be irregular so that patterns seldom repeat within the 4 or 6 week rota

20%

- Works outside plain time 7am and 8pm Monday to Friday
- Works at least 3 shifts per week (i.e. a recognised 7 day period)
- Works more than 15 full hours outside plain time in a 4 week rota period
- Days move as part of a regular pattern every week, i.e. 5 or 6 out of 7 days with 1 or 2 days off, and
- Hours move to cover 24 hours so that it can include nights and a mixture of earlies or lates outside plain hours
- Patterns would be irregular so that patterns seldom repeat within the 4 or 6 week rota
- Although employees would know the rota in advance, planning their lives outside work depends on the needs of the service

Method of Applying

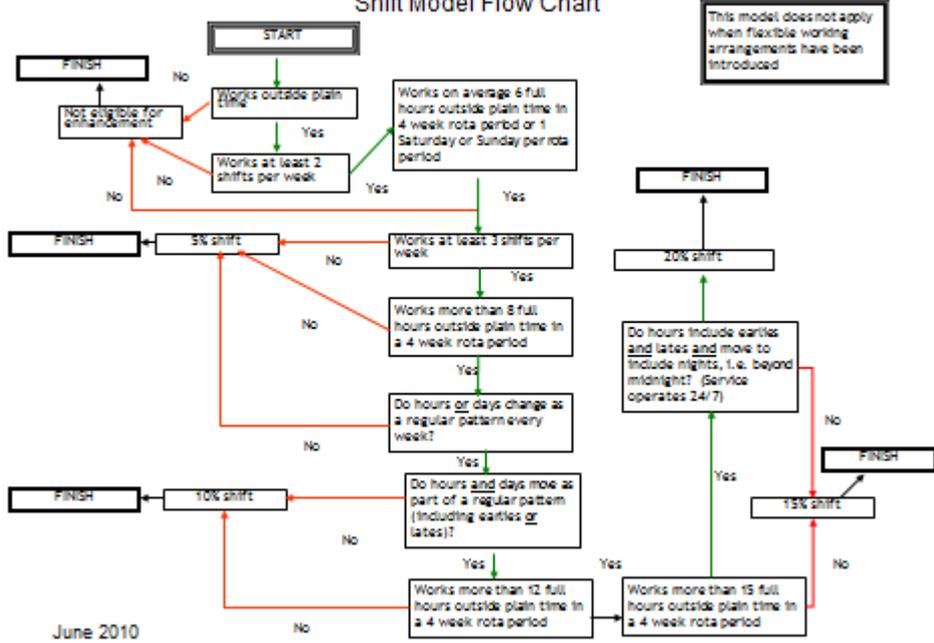
In deciding the unsocial hours percentage:

- Start at the criteria for 5%
- Are any of the rostered hours outside plain time by more than one hour?

- If so, how many times?
- If more than twice, then at least 5%
- Work through each level criteria in this way
- Take into account the amount of time in both extended periods as well as plain time (i.e. it is more disruptive if regular working spans and moves around in all three periods)
- Normally the pattern must meet all criteria specified, although there will be occasions, where the service is not provided for 24 hours but the pattern is sufficiently disruptive to take it to the next category.
- In considering patterns on the borderline, consider also length of each shift

[Link to Shift Model Flowchart](#)

Shift Model Flow Chart



Shift / Unsocial hours Allowance Model

Purpose

This model has been developed between management and trades unions to provide a means of recognising unsocial and shift hours working.

Scope

The model will apply to all NJC staff, who work to unsocial hours / shift arrangements. It does not apply to those on flextime and flexible working arrangements. It will be introduced when protection on existing shift / unsocial hours working ends.

Principles

- The underlying principle is that working hours arrangements under this model are determined by the needs of the service and not chosen to meet the needs of individual employees
- Fairness, equality and consistency of application
- Simple calculation and pay arrangements so that employees understand better their pay and administration is reduced
- Recognises the extent to which an employee's work life balance is disrupted due to the needs of providing a service. This is at a time when more employees are being offered the opportunity to decide their own working patterns – flexible working, home or remote working and hot desking.
- Differentiates the amount of disruption through examining working patterns, the further into unsocial hours periods and the more irregular, the greater the percentage allowance
- The agreed percentage will be paid as a percentage of the whole salary on a monthly basis, with timesheets providing the audit trail of work done
- Working patterns will be examined and the percentage determined by the HR Performance Improvement Team to ensure consistency and fairness. These decisions will be validated by the P&G Negotiating Panel or its successor
- Working patterns will be reviewed before the model is implemented and an equality impact assessment made

Definitions

- Unsocial hours: all hours outside plain hours
- Plain hours: Monday to Friday 7am to 8pm
- Extended hours periods: these are the hours outside plain time hours and are split into two periods as set out below. They are used as one of the factors to assess the disruptive nature of an employee's working pattern (see below)
- Shift: the period of hours a person works during the day; this could be for instance up to 10 hours and could be split into two
- Rota period: for this model a rota period will be 4 weeks; services may determine the need for different rota periods, in which case hour requirements within the criteria should be proportioned accordingly

Introduction

This model has been designed to provide a consistent approach to payment for shift and unsocial hours working. The Council currently has numerous payment arrangements, some of which are complex to manage. This model should also assist in ensuring equality in payment as well as make it easier for employees to understand their monthly payslips.

Payment made under this model recognises that employees work outside of the Council's plain time hours (see below) as part of their regular working arrangements and that these arrangements cause some disruption to their work life balance, i.e. they have less freedom to plan and organise their personal lives. Such working arrangements should be service driven and will require employees to be flexible to meet the needs of the service, allowing individuals less personal flexibility in when they do their work.

This model will be applied to all existing unsocial/ shift arrangements and categorised according to how they meet the criteria set out below and in supporting documents. It will also apply to future working arrangements, see process below.

Working Hours:

The Council's working hours are as follows:

- Plain Hours - 7am to 8pm Monday to Friday
- Extended Hours Period 1 - 5am to 7am Monday to Friday
- 8pm to 10pm Monday to Friday
- 5am to 10pm Saturday and Sunday
- Extended Hours Period 2 - 10pm to 5am Monday to Sunday

Basis for Paying Enhancements:

Shift/unsocial hours' payments will be applied where the needs of the service require employees to be flexible in their working arrangements so that they suffer some disruption to their work life balance.

This will be part of the contract and involve working patterns, which require employees to work outside of the plain hours bands 7am till 8pm Monday to Friday (see supporting documents: [Shift Model – Category Criteria](#) and [Shift Model Flow Chart](#)). The more irregular the working pattern is within the extended hours periods, the higher the enhancement is likely to be.

Shift/ unsocial hours' working is required where a service is provided for prolonged periods each day such that it is covered by separate periods worked by different employees. The overall working hours are normally split into different periods. Each of these periods is called a shift.

Shift/unsocial hours' allowances are payable where:

- The service is provided each day for periods, which extend beyond the plain hours bands 7am till 8pm Monday to Friday, and
- The employee is required to work an average of at least 2 shifts on separate days per week over a 4 week rota period, which represent a varying amount of disruption to work life balance, and
- At least one of those shifts extends into the 'extended hours' periods of the day or week by at least 1 hour

Working Patterns and Enhanced Payments:

Type	Description	% Payment
Static	Same hours each day Same days of the week	5
Alternating	Same hours each day but days move throughout the week Same days of the week but hours move throughout the day	10
Rotating	Days move throughout the week and hours move throughout the day	15
Rolling	Days move throughout the week and hours move throughout 24 hours each day	20

Detailed criteria are set out in a separate supporting document '[Shift Model - Category Criteria](#)' and there is also a [flowchart](#) to assist in identifying the appropriate categories.

Shift/unsocial hours' enhancements will be paid only in line with the above categories and in accordance with the process set out below.

Process

The Negotiating Panel has assessed all current working patterns and has allocated jobs into the above categories using the supporting documents mentioned above as an example of how the model will apply. These jobs are set out in Appendix 1.

Over the implementation period, services will review their working patterns to ensure the best means of providing their services. The Performance Improvement Team will carry out an equality impact assessment on the patterns and recommend which percentages should apply for endorsement by the P&G Negotiating Panel (or its successor). These patterns will then act as benchmarks for future application.

In the future, any new or significantly changed working patterns should be sent to HR, who will arrange for their assessment against the criteria. The Performance Improvement Team will do the assessment against the benchmarks. A small working group of the Negotiating Panel or its successor will meet regularly to validate the

process. The Negotiating Panel or its successor will be notified of new and significantly changed working arrangements at its regular meetings.

Ongoing Maintenance:

The Performance Improvement Team in HR will be responsible for ongoing monitoring and maintenance:

- With the payroll section, monitor the application of shift/unsocial hours' payments to ensure consistency
- Carry out annual reviews to ensure that working patterns are correctly defined
- Support the assessment process, and
- Assess new and significantly changed working patterns in accordance with the process

Appendix 1

Jobs Allocated to Shift/ Unsocial Hours Categories Using Current Working Patterns

The following posts have been allocated to the above working patterns based on the amount of disruption they are likely to cause and may be used to assess future changes to working arrangements in accordance with the agreed process.

Static

Some residential care workers?
Some Leisure Centre Staff?
Some Museum Attendants?
Some Library Managers/Assistants?
Some Cleaners
Residential Street Sweepers
Residential Sweeper Drivers
Residential Machine Drivers

Alternating

Some residential care workers (adult and child)
Commercial Street Sweepers
Commercial Sweeper Drivers
Commercial Machine Drivers
Some Leisure Centre Staff?
Some Museum Attendants?
Some Library Managers/Assistants?

Rotating

Some residential care workers (adult and child)
Some Leisure Centre Staff?

Rolling

Civic Centre Security
Some residential care workers
Some Hexagon Technicians?

Standby & Call Out Scheme

Purpose

1. This scheme establishes a consistent system of payment for standby outside an employee's working hours and for work when the employee is called out.

Scope

2. This scheme will apply to all council employees, initially to those on NJC terms and conditions of employment. It is intended that it will apply to other staff following further negotiations with the trades unions.

Standby

3. This is where an employee is expected to be readily within contact or to 'standby' in case they are needed to deal with emergencies or urgent matters, which can not wait until the employee's normal work time.
4. A standby payment will be made where employees are expected to be by a phone and ready to deal with emergencies or matters, which need immediate attention. Staff will not be able to be involved in normal social activities whilst on standby and the payment recognises the resulting disturbance to home life. It is therefore paid at a standard rate for all staff.
5. It should be based on an agreed duty rota of staff. When an employee is scheduled to be on the rota, s/he must respond when called. If the employee is sick, then it is their responsibility to ensure that the manager knows, so that alternative arrangements can be made
6. The standard rate will be £131 per week for each week of 131 hours of availability (i.e. 24 hours x 7 days a week = 168 minus 37 hours) an employee is required to standby. The total hours during a 7-day week an employee can be on standby is 131 (24 hours x 7 days – 37 hours). Standby for part of a day / week will be paid pro rata of 131 hours.
7. An additional £7.50 will be paid for standby when there is a bank holiday, this recognises the additional 7.4 hours not covered by the above calculation. Details for this payment need to be made upon completion of a timesheet.
8. An additional payment for call out will be made (this can include where an employee deals with a problem remotely without the need to return to work physically). This payment should be based on the appropriate overtime rate.

Call-out

9. The appropriate overtime rate will be paid when an employee is called out for each full hour the employee is at work (this can be remote working). The first 15 minutes of call out are included in the standby payment.

Other Standby/ Call Out Arrangements

10. Where there is a need for employees to return to work in case of emergency but are not required to standby as defined above, staff will receive a payment when returning to work, but there will be no regular standby payment. In these cases it

may be appropriate to pay an honorarium, where this a more regular commitment as those staff who assist the Emergency Planning Unit.

11. It is intended that the current Emergency Response Team (ERT) arrangements continue, see attached scheme. At times of potential emergency, for instance risk of flooding, volunteers may be asked to standby under the above definition and in these circumstances will be paid the standby rate for the number of hours they standby, as well as overtime if called to return to work.

Introduction

12. Protection will be available where necessary. Otherwise, the new rate will be applied from the implementation date.
13. Where current arrangements provide for payments equalling the sum of standby and an average amount of call-out per year, this practice may continue into the future, where call-out is frequent and regular (i.e. 2 or 3 times a week) subject to:
 - The rate being the sum of the new standard standby rate for each week of standby plus an average amount of call out per year at the appropriate overtime rate
 - For the first year, the employees will keep a time sheet log of all hours worked as call-out so that an average annual rate may be calculated
 - Continuing maintenance of time sheets to provide an audit trail
 - An annual management assessment as to whether the rate is still appropriate

Management and Monitoring

14. Managers should ensure that:
 - Duty rotas and call-out experience are kept under review with reference to Working Time Regulations and health, safety and welfare considerations
 - Employees on standby keep themselves available for return to work
 - Records are kept of call out time and that Payroll are informed that it is call-out not ordinary overtime
15. The Performance Improvements Team in HR will monitor the working and payment of overtime through 6 monthly 10% sampling.
16. The standard standby rate will be increased annually in line with the pay award

STARTING PAY ON APPOINTMENT
GUIDANCE ON POSSIBLE VARIATIONS TO COUNCIL POLICY

'The starting pay point for all new employees should normally be the first point of the appropriate grade. Any proposal to place a new employee on a point above the bottom of the grade needs to be objectively justified (by reference to a 'material factor' reason) to protect the Council from an equal pay claim and to ensure employees are treated fairly. Any material factor which makes such a variation necessary needs to be established, evidenced and, where necessary, tested to ensure its robustness in the event of a challenge.'

RBC 'Incremental Progression Guidance' – April 2011

The placing of staff on a starting point of a grade which is higher than the first incremental point of that grade gives rise to potential for equal pay claims where staff in other areas (and even different work disciplines) can point to a difference in treatment. A defence to such claims can be (a) an objective justification for such different treatment (b) that can be evidenced.

Agreeing to pay more on the basis of some form of negotiation unrelated to evidenced experience (on the part of the candidate) or anchored to an existing career progression scheme / grade gateway criteria (on the part of the Council), leaves the Council exposed to possible legal claims for compensation and enforced reductions in pay for staff appointed on this basis.

It is insufficient simply to place a candidate on a different part of the grade due to 'time served' in another role as this is not the norm across the Council as a whole. Likewise it is dangerous to rely on (claimed) previous salary as this may simply 'import' unequal pay from another organisation. Market rate differentials can be addressed through a market supplement – there is separate guidance and objective tests for this approach.

EXAMPLE 1

Candidate A is interviewed. They indicate during the interview that they are looking to be appointed at the top of the grade. They are told that the policy of the Council is that they are appointed at the first point of the grade. When the formal offer is made the candidate asks again to be started at the top and the manager, fearful that the candidate will not accept the post, agrees.

This arrangement could be used in an equal pay claim against the Council. Aside from a brief negotiation, there is no clear rationale for the offer of a different starting point from the norm and there is no evidence on file as to how this arrangement was arrived at. The Council therefore has little defence at an Employment Tribunal.

EXAMPLE 2

Candidate B is an HR Officer with 10 years experience as a HR 'generalist' who has also achieved a university Diploma in Personnel Management. She is being appointed to a HR Career Grade that runs from RG4 to RG6. Progression to RG6 is conditional on having achieved a relevant professional qualification equivalent to the Diploma and gaining demonstrable experience in a number of defined skill, knowledge and practice areas as defined in the HR Career Progression Criteria.

Having established that the candidate has indeed achieved this experience, skills and qualification (through the interview, reference and documentation procedures) then it could be objectively justified to place the candidate at the bottom of RG6 and not the bottom of RG4. This is a career grade with specified criteria for progression and therefore it is likely that a variance from the normal appointment policy can be justified objectively.

EXAMPLE 3

Candidate C works in service area 'X' and is appointed to grade RG6. The gateway for progression through to the top of RG6 has already been defined as a set of skills and competencies that can be measured and proven. The candidate is looking to be appointed to the top of RG6.

Provided that evidence can be identified through interview, references and qualifications that the candidate meets the criteria to pass through the gateway at RG6, then they could be appointed to scp 38 (ie the first point after the gateway).

EVIDENCE RECORD

The attached **certificate** should be used to record the assessment of a candidate against pre-existing criteria that will allow a candidate to be appointed above the first point in their substantive grade.

FURTHER GUIDANCE

See also Equality and Human Rights Commissions 'Equal Pay in Practice' (Checklist No 5) - (<http://www.equalityhumanrights.com/advice-and-guidance/guidance-for-employers-pre-october-10/equal-pay/checklists-equal-pay-in-practice/5-starting-pay/>)

JWH130411

APPOINTMENT OF A CANDIDATE ABOVE THE FIRST SPINAL COLUMN POINT ON THE GRADE

EVIDENCE OF OBJECTIVE JUSTIFICATION

This certificate should be completed in all cases where a candidate for a post in the Council is appointed to a point in a grade other than the first spinal column point (scp), signed and submitted to HR.

A copy of this certificate should be held on the employee's personal HR record and not removed

I confirm that (name of employee) _____ is to be appointed to scp _____ of grade _____ for the following reason(s) –

Either

That they have sufficient evidenced skills, experience and / or qualifications to meet the requirements of an existing career progression scheme as set out overleaf.

YES / NO

And / or

That they have skills, experience and / or qualifications to move past the gateway in the above grade and be placed at the first scp after that gateway.

YES / NO

Please make a summary note overleaf of the details of the relevant career progression scheme / agreed gateway criteria as well as a note of the source of the evidence that has been reviewed and assessed (eg job application, interview, references, assessment tests, certificates) and attach any relevant evidence to support this certificate.

Failure to complete this certificate and attach relevant evidence may lead to the employee not being appointed to the recommended scp.

I hereby confirm that I have carried out the assessment summarised in this certificate (above and overleaf) and that the details contained and attached are accurate as far as I can reasonably ascertain.

Signed _____

Name _____

Post Title _____

Date _____

This certificate must be completed and signed at Service Manager level or above.

SUMMARY OF EVIDENCE REVIEWED TO MAKE THIS ASSESSMENT

(eg job application, interview, references, assessment tests, certificates) and attach relevant evidence to this certificate