



Report to: Appointments and Conditions of Service Committee

Subject: Salary Protection Policy for Existing Staff on Protection

Date: 18th January 2012

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1. PURPOSE OF THE REPORT

To propose a policy to determine how new pay protection arrangements are to be applied to employees currently under the terms of previous pay protection arrangements.

2. BACKGROUND

At the meeting of 7th October 2011, the Appointments and Conditions of Service Committee (ACSC) gave approval to a new policy that was to be applied to any new pay protection arrangements from 8th October onwards. The policy stated that future pay protection would be applied over a four year period at a protected rate of 100% in the first 12 months, 75% in the second 12 months and 50% for a further 24 months from the date of commencing a post at a lower grade. At this meeting the Chief Executive was asked to bring a further report outlining how new arrangements might be applied to those staff currently in pay protection, and taking into account a request from Unison that particular individual circumstances might be considered as part of this process.

Further discussion on this topic took place at the Joint Consultative and Safety Committee (JCSC) on 7th November 2011. At this meeting the trade union representatives again pressed for any general pay protection policy to contain opportunity for employees currently under pay protection to be able to outline special circumstances that might warrant a variation from the general rules for application of the policy. The chair of the JCSC urged that the action be brought forward as a matter of priority.

In response to the request from the JCSC, the following policy is proposed.

3. PROPOSED POLICY

The general policy of the Council is that pay protection is applied over a four year period at a protected rate of 100% in the first 12 months, 75% in the second 12 months and 50% for a further 24 months from the date of commencing a post at a lower grade.

This general policy applies to any and all new pay protection arrangements arising after 7th October 2011.

Any employee already on an existing pay protection arrangement at 7th October 2011 shall have the terms of the new protection arrangement applied to them with effect from 1st October 2012. From this date, the period of four-year pay protection as described above will commence.

Where an employee is already pay-protected under old arrangements at 7th October 2011, they will have opportunity to make representation direct to the Chief Executive to ask that the application of the general scheme be amended or varied in an appropriate way to recognise particular personal circumstances of hardship. This appeal against the application of the full general scheme should be made direct to the Chief Executive, usually in writing. After consideration of any submission the Chief Executive has discretion, where it is deemed that exceptional circumstances have been demonstrated, to vary the terms of the general scheme or to continue to apply them in full without variation. Each application will be considered individually on its merits. This right of appeal to the Chief Executive is the final appeal right against the full application of the scheme.

4. IMPLEMENTATION OF THE POLICY

Implementation of any new general policy to be applied to employees on current pay protection arrangements shall be made on 1st October 2012, where possible with agreement. Where agreement is not secured, proper notice of the variation will be served.

Any variations to the general policy endorsed by the Chief Executive through successful appeal will be similarly applied.

5. RECOMMENDATION

The Appointments and Conditions of Service Committee is **recommended** to support the adoption and application of the new policy statement.