NATIONAL JOINT COUNCIL
for
LOCAL GOVERNMENT SERVICES

NATIONAL AGREEMENT
on
PAY AND CONDITIONS OF SERVICE

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CONTENTS

			Page
Part 1		Principles……..	**4**
		Constitution…….....	**6**
Part 2		**Key National Provisions**	**10**
	1.	Equalities……..	**11**
	2.	Official Conduct……	**11**
	3.	Training & Development…….	**11**
	4.	Health, Safety & Welfare……	**12**
	5.	Pay & Grading……..	**12**
	6.	Working Time……...	**13**
	7.	Leave…….	**13**
	8.	Part Time Employees……..	**14**
	9.	Temporary Employees……	**15**
	10.	Sickness Scheme……	**15**
	11.	Maternity Scheme……	**16**
	12.	Car Allowances……	**21**
	13.	Reimbursement of Expenditure…….	**21**
	14.	Continuous Service…….	**21**
	15.	Period of Notice to Terminate Employment…….....	**22**
	16.	Grievance Procedures……	**22**
	17.	Disciplinary Procedures……..	**22**
	18.	Trade Union Facilities…….	**22**
	19.	London & Fringe Area Allowances…...	**23**
Part 3		**Other National Provisions**	**24**
	1.	Pay & Grading……..	**25**
	2.	Working Arrangements……...	**25**
	3.	*See part 4.8*……..	**126**
	4.	Sickness Scheme……	**28**
	5.	Child Care & Dependents……..	**29**
	6.	Car Allowances……	**29**
	7.	Payments to Employees in the Event of Death or Permanent Disablement Arising from Assault……	**30**
	8.	Meals & Accommodation Charges…...	**31**
	9.	Schools Retained Employees & Nursery Employees…….	**31**
Appendix 1.		Transitional Provisions……	**32**
Appendix 2.		Retained Employees & Nursery Employees in Nursery Establishments	**33**

			Page
Part 4		**Joint Advice**	**35**
	4.1	Job Evaluation Scheme……..	**36**
	4.2	Equality and Diversity…….	**100**
	4.3	Guidance on Appeals…….	**114**
	4.4	*deleted and incorporated into 4.9*	**-**
	4.5	Guidance on Family Related & Work-Life Balance Issues…….	**117**
	4.6	Model Parental Leave Scheme…….	**119**
	4.7	Management of Health & Safety……...	**122**
	4.8	Guidance on Local Workforce Development Plans…….	**126**
	4.9	Pay & Grading Reviews…….	**140**
	4.10	Equal Pay Audits…….	**157**
	4.11	Equality Impact Assessments……	**164**

Payscales and Allowances

1 April 1997	…….	**179**
Implementation Agreement 1997	…….	**182**
Assimilation Table 1997	…….	**187**
1 April 1998	…….	**179**
1 April 1999	…….	**188**
1 April 2000	…….	**191**
1 April 2001	…….	**193**
1 April 2002	…….	**195**
1 October 2002	…….	**195**
1 April 2003	…….	**195**
1 April 2004	…….	**198**
Implementation Agreement 2004	…….	**200**
1 April 2005	…….	**198**
1 April 2006	…….	**203**
1 April 2007	…….	**205**
1 April 2008	…….	**208**
1 April 2009	…….	**211**
1 April 2013	…….	**214**
1 January 2015	…….	**216**
1 April 2016	…….	**220**
1 April 2017	…….	**220**

NB:
All hyperlinks and email addresses contained in this Agreement are correct at the time of publication. Please notify the Joint Secretaries of any discrepancies by emailing them at the addresses shown on the cover page.

PART 1
PRINCIPLES

1. The National Joint Council represents local authorities in England, Wales and Northern Ireland and their employees (other than those for whom there are alternative arrangements) and other authorities of equivalent status. We are jointly committed to the local democratic control of services to the community as the primary role of local government. Our principal role is to reach agreement, based on our shared values, on a national scheme of pay and conditions for local application throughout England, Wales and Northern Ireland. The Constitution of the National Joint Council is **annexed** to this Part.

2. The National Joint Council's guiding principles are to support and encourage:

   (a) high quality services delivered by a well-trained, motivated workforce with security of employment. To this end local authorities are encouraged to provide training and development opportunities for their employees
   (b) equal opportunities in employment; equality as a core principle which underpins both service delivery and employment relations; and both the removal of all discrimination and promotion of positive action;
   (c) a flexible approach to providing services to the community, which meets the needs of employees as well as employers
   (d) stable industrial relations and negotiation and consultation between local authorities as employers and recognised trade unions.

3. The NJC has a strong commitment to joint negotiation and consultation at all levels, and to this end encourages employees to join and remain in recognised unions. Co-operation between employers, employees and unions will help ensure the successful delivery of services. Local authorities are therefore encouraged to provide facilities to allow trade unions to organise effectively for individuals and collective representation.

4. In addition to this Part, the national agreement consists of:

   PART 2
   Key national provisions which are for application by all local authorities to all employees covered by the NJC. They are basic provisions which constitute a standard throughout England, Wales and Northern Ireland.

   PART 3
   Other national provisions which may be modified by local negotiation. The party proposing change must state in writing what changes are sought and why and the parties must then seek to reach agreement, normally within three months. Where agreement is not possible, either party may refer the failure to agree to the provincial joint secretaries (or other mutually agreed persons) for conciliation. If the provincial conciliation is unsuccessful, the provincial secretaries may recommend further procedures for resolution of the difference, including external conciliation, mediation or binding ACAS arbitration. The above procedures should if possible be completed normally within a further three months.

PART 4

Joint Advice - this covers agreed guidance on good practice on a variety of issues.

ANNEX: Constitution

1. **Title**
   The Council shall be known as The National Joint Council for Local Government Services.

2. **Area**
   The sphere of operation shall be England, Wales and Northern Ireland.

3. **Scope**
   The functions of the Council shall relate to all employees of local authorities in England, Wales and Northern Ireland and of other authorities of equivalent status, other than those employees covered by other national negotiating machinery.

4. **Provincial and Associated Councils**
   There shall be joint Provincial / Regional Councils and a joint council for Northern Ireland.

5. **Membership**
   (a) The Council shall consist of 70 members of whom 12 shall be appointed to represent the employers and 58 to represent the employees.

   (b) The Employers' representatives shall be appointed as follows:

Local Government Association	9 representatives
Welsh Local Government Association	1 representative
Northern Ireland Local Government Association	1 representative
National Association of Local Councils	1 representative
TOTAL	**12 representatives**

   (c) The Trade Unions' representatives shall be appointed as follows:

UNISON	31 representatives
GMB	16 representatives
Unite	11 representatives
TOTAL	**58 representatives**
NIPSA	1 observer

   These are the recognised trade unions for this agreement.

(d) If any of the bodies referred to in paragraphs (b) and (c) fail to appoint the number of representatives provided for by the constitution, such failure to appoint shall not invalidate the decisions of the Council

(e) In the event of any member of the Council or any of its committees being unable to attend any meeting, the body represented by such member shall be entitled to appoint another representative to attend as a substitute, provided that a substitute for a member of a committee shall be appointed only from amongst the remaining members of the Council

(f) The members of the Council shall retire on 30 September in each year and be eligible for re-appointment.

(g) On the occurrence of a vacancy, a new member shall be appointed by the body in whose representation the vacancy occurs and shall be a member until the end of the period for which the previous member was appointed.

6. Functions

The functions of the National Joint Council are as follows:

- To negotiate collective agreements on pay and conditions and any other related matters that the two Sides of the National Joint Council agree to negotiate on.
- To urge all local authorities, recognised unions and employers to apply national agreements.
- To promote co-operation between employers and recognised unions throughout local government.
- To make advice available to local authorities, recognised unions and employees on industrial relations and personnel issues.
- To settle differences of interpretation and / or application of the national agreement that cannot be resolved locally or provincially.
- To assist where required in the resolution of disputes that cannot be resolved locally or provincially.
- To undertake any activity incidental to the above.

CONDUCT OF BUSINESS

7. Committees

The Council may appoint from its own members an Executive Committee and other such committees as it may consider necessary. Reports from these committees shall be submitted to the Council. The Council may delegate special powers to any such committee. Reports in these cases shall be submitted for information.

8. Other Members

The Council or a committee may invite the attendance of any persons whose special knowledge would be of assistance. Such persons shall not have the power to vote.

9. Chair and Vice-Chair

The Council shall appoint from amongst its members a Chair and Vice Chair who shall retire in the same manner as provided for members in Clause 5. The Chair shall be held in alternate years by a member of the Employers' Side and a member of the Trade Union Side. In the absence of the Chair, the Vice Chair shall preside at the meetings of the Council.

If neither the Chair nor the Vice Chair is present, a Chair shall be elected for the meeting. The Chair shall have a vote, but not a casting vote. The Chair and Vice Chair shall be ex officio members of any committees.

10. Officers

The Council shall appoint joint secretaries, a treasurer, an auditor and such other officers, if any, as it may think fit. All honorary officers shall retire in the same manner as is provided for members in Clause 5 and shall be eligible for re-appointment.

11. Meetings

The annual meeting of the Council shall be held during the month of October. Ordinary meetings of the Councils shall be held as often as may be necessary.

The Chair shall call a special meeting of the Council if so requested by either side of the Council. The requisition, and also the notice summoning the meeting, shall state the nature of the business proposed to be transacted, and no other matters shall be discussed. The meeting shall take place within fourteen days of such a requisition being received by the joint secretaries.

12. Voting

The voting on the Council and on all committees shall be by show of hands or otherwise as the Council or committee shall determine. No resolution shall be regarded as carried unless it is approved by the majority of the members present and voting on each side of the Council or committee.

13. Quorum

The quorum shall be one third of the members of the Council divided equally between the two sides. In the absence of a quorum the Chair shall declare the meeting closed and the business then under discussion shall be the first business to be discussed at the next meeting of the Council. The quorum of a committee shall be determined by the Council.

14. Notice of Meetings

All notices of meetings of the Council and of any committee will be sent to the respective members at least seven days before the meeting.

15. Finance

The administrative expenses of the Council (excluding expenses of representatives (which shall be met by the respective sides)) and its committees shall be borne equally by the two sides.

16. Amendment

The constitution may be amended only with the assent of the Employer representative bodies referred to in paragraph 5(b) and the first three unions referred to in paragraph 5(c).

17. Arbitration

In the event of a dispute over terms and conditions of employment arising between the two sides of the Council the dispute shall, if requested by either side, be referred for settlement by arbitration. The arbitration award shall be accepted by both sides and shall be treated as though it were an agreement between the two sides.

PART 2
KEY NATIONAL PROVISIONS

		Page
1.	Equalities…….	**11**
2.	Official Conduct……..	**11**
3.	Training and Development……...	**11**
4.	Health, Safety and Welfare……..	**12**
5.	Pay and Grading……...	**12**
6.	Working Time…….	**13**
7.	Leave……...	**13**
8.	Part Time Employees……...	**14**
9.	Temporary Employees……..	**15**
10.	Sickness Scheme……..	**15**
11.	Maternity Scheme……..	**16**
12.	Car Allowances……..	**21**
13.	Reimbursement of Expenditure…..	**21**
14.	Continuous Service……...	**21**
15.	Period of Notice to Terminate Employment……	**22**
16.	Grievance Procedures……..	**22**
17.	Disciplinary Procedures……...	**22**
18.	Trade Union Facilities……...	**22**
19.	London and Fringe Area Allowances…….…….	**23**

1. Equalities

1.1 Employees will be afforded equal opportunities in employment irrespective of disability, gender, race, religion, age, sexuality, marital status, parental status, caring responsibilities and hours of work

1.2 Local authorities will ensure that discriminatory practices are identified and removed and non-discriminatory practices introduced in all areas of employment including recruitment, training and promotion. Lawful positive action initiatives should be taken to achieve and maintain a representative workforce.

1.3 The National Council has agreed an Equal Opportunities Guide which is intended for use in all local authorities. The Guide is reproduced in Part 4.2 of this national agreement.

2. Official Conduct

2.1 Employees will maintain conduct of the highest standard such that public confidence in their integrity is sustained.

2.2 Local codes of practice will be developed to cover the official conduct and the obligations of employees and employers.

3. Training and Development

3.1 Authorities will develop local 'Workforce Development Plans (see Part 4.8),' closely linked to their service delivery plans, which will provide the focus for the establishment of training and development priorities. Training and development should be designed to meet the corporate and service needs of authorities both current and in the future, taking into account the individual needs of employees. Local schemes on training and development should enable authorities to attain their strategic objectives through development of their employees. Training and development provisions should be shaped to local requirements and take account of the full range of learning methods. Such an approach should enable access to learning for all employees. The needs of part time employees and shift workers need particular consideration.

3.2 Employees attending or undertaking required training are entitled to payment of normal earnings; all prescribed fees and other relevant expenses arising. Employees are also entitled to paid leave for the purpose of sitting for required examinations. When attending training courses outside contracted daily hours, part-time employees should be paid on the same basis as full-time employees. (Assistance for other forms of learning, for example that directed at individual development, will be locally determined). Some training can be very expensive and authorities may require repayment of all or part of the costs incurred should an employee leave the authority before a reasonable time period has expired. The authority's policy in this regard should be made explicit.

3.3 Objectives for training and development programmes should include the following:

- To enable Councils to attain their strategic objectives via investment in their employees.
- To promote equity of access to learning.
- To encourage employees to develop their skills and level of responsibility to the maximum of their individual potential.
- To widen and modernise the skills profile of employees to maximise their versatility, employability and so, job security.
- To enable employees to raise productivity, quality and customer service in pursuit of sustainable improvement

3.4 Authorities should establish local partnership arrangements, to include recognised trade unions, to develop their local workforce development plans.

3.5 The NJC endorses partnership provision such as the "Return to Learn" scheme. Authorities and the recognised trade unions shall encourage and support employees taking on the statutory Union Learning Representative (ULR) role. This will include agreeing facilities and paid release in accordance with statutory provisions. ULRs should be enabled to play a full part in promoting and implementing local training and development programmes.

4. Health, Safety and Welfare

4.1 Authorities have a duty to comply with the law governing the health, safety and welfare of employees, including the conditions under which they work and the provision and maintenance of necessary protective clothing.

4.2 Employees have a duty to take care of themselves and others affected by their activity at work and to co-operate with employers' actions taken to meet their duties under the relevant Regulations.

4.3 Guidance is set out in Part 4.7

5. Pay and Grading

5.1 The pay and grading of jobs must be fair and non-discriminatory, complying with equal pay legislation and associated Codes of Practice. The job evaluation scheme which has been developed jointly for local government is in Part 4.

5.2 The basic pay of each employee will consist of either a point or points on the local government pay spine. The pay spines and all allowances from 1997 onwards are set out at the end of this document. If a common system for all employees is not adopted locally, there needs to be objective justification for any distinction between those jobs paid on scales and those which are paid on single pay points. Further guidance on the equal pay aspects of local grading structures is included in Part 4.

5.3 An employee dissatisfied with the grading of their job is entitled to appeal for a reconsideration of the grading. Procedures will be agreed locally to deal with such appeals.

5.4 Posts paid above the maximum of the pay spine but graded below deputy chief officer are within scope of the NJC. The pay levels for such posts are determined locally, but once fixed are increased in line with agreements reached by the NJC.

6. Working Time

6.1 The standard working week for full time employees is 37 hours (36 in London). This may be calculated over a period other than a week in accordance with the provisions of Part 3.

6.2 Employees who are required to work non-standard patterns of work shall be compensated in accordance with the provisions of Part 3 Para 2.

6.3 Variations to the established working week or patterns of work will be reasonable and subject to adequate notice.

6.4 Working arrangements will comply with relevant Health and Safety legislation, including the European working time directive and its associated UK legislation.

7. Leave

7.1 **Public Holidays**
Employees shall, irrespective of length of service, be entitled to a holiday with a normal day's pay for each of the statutory, general and public holidays as they occur.

7.2 **Annual Leave**
The minimum paid annual leave entitlement is twenty one days with a further four days after five years of continuous service. The entitlement as expressed applies to five day working patterns. For alternative working patterns an equivalent leave entitlement should be calculated.

7.3 The annual leave entitlement of employees leaving or joining an authority is proportionate to their completed service during the leave year.

7.4 **Extra Statutory Holidays**
Employees shall have an entitlement to two extra statutory days holiday, the timing of which shall be determined by the authority in consultation with the recognised Trade Unions with a view to reaching agreement, or added to annual leave by local agreement.

7.5 **Public Duties**
Paid leave of absence will be granted for employees undertaking jury service or serving on public bodies or undertaking public duties. Where an allowance

is claimable for loss of earnings the employee should claim and pay the allowance to the employing authority.

7.6 **Maternity Support Leave**

Maternity support leave of 5 days with pay shall be granted to the child's father or the partner or nominated carer of an expectant mother at or around the time of birth. A nominated carer is the person nominated by the mother to assist in the care of the child and to provide support to the mother at or around the time of the birth.

7.7 **Time off for Medical Screening**

Necessary paid time off will be granted for the purpose of cancer screening.

7.8 **Adoption Leave**

Authorities are recommended to introduce adoption leave schemes for employees adopting children.

7.9 **Special Leave**

Additional leave with or without pay may be granted in special circumstances at the discretion of the employing authority. Authorities shall give particular consideration to granting reasonable paid time off for dependants as defined under the Employment Relations Act 1999.

7.10 **Calculating Leave Entitlement**

For the purpose of calculating leave (annual and public and extra statutory holidays) entitlements may where necessary be expressed in hours over the leave year.

7.11 **Normal Pay**

Normal pay includes all earnings that would be paid during a period of normal working, but excluding any payments not made on a regular basis.

7.12 In accordance with the arrangements for parental leave under the Maternity and Parental Leave etc Regulations 1999, a model parental leave scheme has been agreed at Part 4.6. Authorities are recommended to either adopt the model or agree a local scheme

8. Part Time Employees

8.1 Part time employees shall have applied to them the pay and conditions of service pro-rata to comparable full time employees in the same authority, except for:

(a) training and development - where part time employees should have access equal to that of full time employees and when on training courses outside their contracted daily hours shall be paid on the same basis as full time employees.

(b) the car allowance scheme - which applies to part time employees in full on the same basis as full time employees.

9. Temporary Employees

Temporary employees shall receive pay and conditions of service equivalent to that of permanent employees.

10. Sickness Scheme

10.1 The scheme is intended to supplement Statutory Sick Pay and Incapacity Benefit, Employment and Support Allowance or equivalent social security benefit so as to maintain normal pay during defined periods of absence on account of sickness, disease, accident or assault.

10.2 Absence in respect of normal sickness is entirely separate from absence through industrial disease, accident or assault arising out of or in the course of employment with a local authority. Periods of absence in respect of one shall not be set off against the other for the purpose of calculating entitlements under the scheme.

10.3 Employees are entitled to receive sick pay for the following periods:

During 1st year of service	1 month's full pay and, after completing 4 months' service, 2 months' half pay
During 2nd year of service	2 months' full pay and 2 months' half pay
During 3rd year of service	4 months' full pay and 4 months' half pay
During 4th and 5th year of service	5 months' full pay and 5 months' half pay
After 5 years' service	6 months' full pay and 6 months' half pay

Authorities shall have discretion to extend the period of sick pay in exceptional cases.

10.4 The period during which sick pay shall be paid, and the rate of sick pay, in respect of any period of absence shall be calculated by deducting from the employee's entitlement on the first day the aggregate of periods of paid absence during the twelve months immediately preceding the first day of absence.

10.5 In the case of full pay periods sick pay will be an amount which when added to Statutory Sick Pay and Incapacity Benefit, Employment and Support

Allowance or equivalent social security benefit receivable will secure the equivalent of normal pay.

10.6 In the case of half pay periods sick pay will be an amount equal to half normal earnings plus an amount equivalent to Statutory Sick Pay and Incapacity Benefit, Employment and Support Allowance or equivalent social security benefit receivable, so long as the total sum does not exceed normal pay.

10.7 Normal pay includes all earnings that would be paid during a period of normal working, but excluding any payments not made on a regular basis.

10.8 The Employment and Support Allowance or equivalent social security benefits to be taken into account for the calculation of sick pay are those to which an employee is entitled on the basis that the employee has satisfied so far as is possible:

(i) the conditions for the reporting of sickness as required by the authority;
(ii) the claiming of benefits
(ii) the obligation to declare any entitlement to benefits and any subsequent changes in circumstances affecting such entitlement.

10.9 An employee who is prevented from attending work because of contact with infectious disease shall be entitled to receive normal pay. The period of absence on this account shall not be reckoned against the employee's entitlements under this scheme.

10.10 If an employee abuses the sickness scheme or is absent on account of sickness due or attributable to deliberate conduct prejudicial to recovery or the employee's own misconduct or neglect or active participation in professional sport or injury while working in the employee's own time on their own account for private gain or for another employer sick pay may be suspended. The authority shall advise the employee of the grounds for suspension and the employee shall have a right of appeal to the appropriate committee of the authority. If the authority decide that the grounds were justified then the employee shall forfeit the right to any further payment in respect of that period of absence. Repeated abuse of the sickness scheme should be dealt with under the disciplinary procedure.

11. Maternity Scheme

11.1 Who This Scheme Applies To

The occupational maternity scheme shall apply to all pregnant employees regardless of the number of hours worked per week.

11.2 Initial Obligations on the Employee

An employee shall notify her employing authority at least 28 days before her absence begins or as soon as is reasonably practicable:

(a) that she is pregnant;
(b) of the expected week of childbirth (EWC);
(c) of the date of the beginning of her absence.

The employer can request that the notification of the beginning of the absence is given in writing and that the employee produce a certificate from a registered medical practitioner or a registered midwife stating the expected week of childbirth.

11.3 **Health and Well-being**

(a) Ante-natal Care

Any pregnant employee has the right to paid time off to attend for ante-natal care and must produce evidence of appointments if requested by her employing authority.

(b) Health and Safety

Consideration must be given to any health and safety implications for pregnant or breast-feeding employees identified in the Workplace Risk Assessment carried out in accordance with Part 2, Paragraph 4.

11.4 **Maternity Leave Entitlement**

(a) All employees are entitled to 26 weeks' ordinary maternity leave followed by 26 weeks' additional maternity leave, giving a total of 52 weeks' continuous leave, 'the maternity leave period'.

(b) Maternity leave shall commence no earlier than 11 weeks before the EWC, or from the day following childbirth if that is earlier.

Within 28 days of receipt of the initial notification the employing authority will write to the employee informing them of the last day of their maternity leave and the expected date of their return.

11.4.1 **Keeping in Touch (KIT) Days**

(a) Keeping in touch (KIT) days are intended to facilitate a smooth return to work for women returning from maternity leave. Before going on leave, the employer and the employee should discuss and agree any voluntary arrangements for keeping in touch during the employee's maternity leave. An employee may work for up to 10 KIT days during OML or AML without bringing her maternity leave to an end. An employee may not work during the two weeks of compulsory maternity leave immediately after the birth of her baby.

(b) The work can be consecutive or not, and can include training or other activities which enable the employee to keep in touch with the

workplace. Any such work must be by agreement and neither the employer nor the employee can insist upon it.

(c) Authorities are recommended to adopt policies for KIT days that have regard to DTI guidance (Maternity Entitlements and Responsibilities: A guide - babies due on or after 1 April 2007) and therefore should include arrangements for payment for working on these days.

11.5 **Maternity Pay**

(a) Payments for employees who have less than 1 year's continuous local government service at the beginning of the 11th week before the EWC shall be the employee's entitlement to Statutory Maternity Pay (SMP), where eligible.

(b) Payments for employees who have completed 1 year's continuous local government service at the 11th week before the EWC shall be as follows:-

(i) For the first six weeks of absence an employee shall be entitled to nine-tenths of a week's pay offset against payments made by way of SMP or Maternity Allowance (MA) for employees not eligible for SMP.

(ii) An employee who declares in writing that she intends to return to work will for the subsequent 12 weeks' absence receive half a week's pay plus SMP, where eligible, without deduction except by the extent to which the combined pay and SMP (or MA and any dependant's allowances if the employee is not eligible for SMP) exceeds full pay. Alternatively the equivalent amount (i.e. 6 weeks' pay) may be paid on any other mutually agreed distribution.

For the remainder of the maternity leave period the employee will receive their entitlement to SMP currently 39 weeks in total), where eligible.

(iii) For employees not intending to return to work payments during their maternity leave period following the first 6 weeks will be their entitlement to SMP (currently 39 weeks in total), where eligible.

(iv) Payments made by the authority during maternity leave under (ii) above shall be made on the understanding that the employee will return to local authority employment for a period of at least three months, which may be varied by the local authority on good cause being shown and, in the event of her not doing so, she shall refund the monies paid, or such part thereof, if any,

as the authority may decide. Payments made to the employee by way of SMP are not refundable.

11.6 **Right to Return To Work**

(a) Subject to (b) to return to the job in which she was employed under her original contract of employment and on terms and conditions not less favourable than those which would have been applicable to her if she had not been absent. “Job”, for this purpose, means the nature of the work which she is employed to do and the capacity and place in which she is so employed.

(b) Where it is not practicable by reason of redundancy for the authority to permit her to return to work in her job as defined in (a) above the employee shall be entitled to be offered a suitable alternative vacancy where one exists, provided that the work to be done in that post is suitable to her and appropriate to the circumstances, and that the capacity and place in which she is to be employed and her terms and conditions of employment are not substantially less favourable to her than if she had been able to return to the job in which she was originally employed.

(c) Suitable alternative employment may also be offered if exceptional circumstances other than redundancy (e.g. a general reorganisation), which would have occurred if the employee had not been absent, necessitate a change in the job in which she was employed prior to her absence.

The work to be done should be suitable to her and appropriate to the circumstances and the capacity and place in which she is to be employed and her terms and conditions of employment should not be less favourable to her than if she had been able to return to the job in which she was originally employed.

11.7 **Exercise of the Right to Return to Work**

(a) Return before the end of the maternity leave period

(i) An employee shall notify the authority in writing if requested, at least 21 days before the day on which she proposes to return if this is before the end of the maternity leave period. Where the notice given is less than 21 days the employer may postpone the return to ensure 21 days’ notice, but not beyond the end of the maternity leave period.

(ii) If an employee changes her mind about the day she proposes to return, she must give her employer 21 days’ notice of the new date, if this is earlier than the original date (see 11.7(a)(i)) she notified or if she is now proposing to return later than the original

date, she must give notice of the new return date 21 days before the original return date.

(b) All employees

(i) Where an employee is unable to return on the expected day due to sickness the absence will be covered by the sickness scheme in the normal way.

(ii) For an employee where, because of an interruption of work (whether due to industrial action or some other reason), it is unreasonable to expect her to return on the due date, she may instead return when work resumes, or as soon as reasonably practicable thereafter.

(c) Return to work - Flexible Working arrangements

Authorities should consider the full range of flexible working arrangements and support facilities for employees returning to work. The needs of breastfeeding employees should be taken into account. The Health & Safety Executive has produced guidance that employers should refer to if a facility for breastfeeding is requested.

11.8 **Relationship with Sickness and Annual Leave**

(a) Maternity leave will not be treated as sick leave and will not therefore be taken into account for the calculation of the period of entitlement to sickness leave.

(b) Ordinary maternity leave and additional maternity leave shall be regarded as continuous service for the purposes of the National Joint Council's sickness and maternity schemes and annual leave. Annual leave continues to accrue during both ordinary and additional maternity leave.

11.9 **Definitions**

(a) A Week's Pay

The term " a week's pay" for employees whose remuneration for normal working hours does not vary with the amount of work done in the period, is the amount payable by the authority to the employee under the current contract of employment for working her normal hours in a week. Where there are no normal working hours, a week's pay is the average remuneration in the period of 12 weeks preceding the date on which the last complete week ended, excluding any week in which no remuneration was earned.

(b) Childbirth

Childbirth means the live birth of a child, or a still birth after a pregnancy lasting at least 24 weeks

(c) Nothing in the above provisions shall be construed as providing rights less favourable than statutory rights.

12. Car Allowances

Where an employing authority authorises an employee to use a private car on official business, the employee will receive an allowance in accordance with the provision set out in Part 3 paragraph 6.

13. Reimbursement of Expenditure

13.1 Employees necessarily incurring additional expense in the course of their work in respect of travel, meals or overnight accommodation will be reimbursed approved expenses, subject to appropriate evidence of expenditure being produced, in accordance with local arrangements.

13.2 Employees will be reimbursed the additional costs arising from a compulsory change in their place of work, according to locally negotiated schemes establishing approved items of expenditure and periods of reimbursement.

13.3 Where an authority requires an employee to possess a Heavy Goods Vehicle, Passenger Service Vehicle and/or other special driving licence, the authority shall meet the renewal costs.

14. Continuous Service

14.1 For the purposes of entitlements regarding Annual Leave, the Occupational Sickness Scheme and the Occupational Maternity Scheme continuous service will include continuous previous service with any public authority to which the Redundancy Payments (Continuity of Employment in Local Government etc) (Modification) Order 1999 applies.

14.2 Where an employee returns to local government service following a break for maternity reasons, or reasons concerned with caring for children or other dependants he or she will be entitled to have previous service taken into account in respect of the sickness and maternity schemes provided that the break in service does not exceed eight years and that no permanent paid full time employment has intervened. For the purpose of the calculation of entitlement to annual leave the eight years' time limit does not apply provided that no permanent full time employment has intervened.

14.3 Where an employee is transferred to an organisation not covered by the Redundancy Payments (Continuity of Employment in Local Government etc) (Modification) Order 1999, continuity of service is protected under the TUPE Regulations where there is a TUPE transfer. However, if that employee returns voluntarily to local government service continuity is broken. Where an employee returns in such circumstances, without a break between employments, all previous continuous service will be recognised for the purposes of calculation of entitlements to annual leave, occupational maternity

leave/pay and occupational sick pay. This is subject to the return to service being within five years of the original transfer.

Note: This agreement applies to all employees who have returned to local government service since 1st April 1997 however the calculation of the resulting benefits, such as additional leave, will only take effect as and from 1st April 2002.

15. Period of Notice to Terminate Employment

15.1 Employer

The minimum periods of notice to be given by an employer are governed by the Employment Rights Act 1996:

Continuous Service	Period of Notice
One month or more but less than two years	Not less than one week
Two years or more but less than twelve years	Not less than one week for each year of continuous service
Twelve years or more	Not less than twelve weeks

15.2 Employee

The minimum period of notice to terminate employment given by an employee shall be the ordinary period from one pay period to the next.

16. Grievance Procedures

The employing authority should ensure that all employees are aware of the person to whom they should apply in the event of their having a grievance and of the procedure to be followed in that instance. These procedures should accord with ACAS guidance.

17. Disciplinary Procedures

The employing authority should ensure that all employees are aware of the disciplinary rules and procedures that apply. All employees should also be aware to whom they can apply if they are dissatisfied with any disciplinary decision. These procedures should accord with legal requirements and with the ACAS Code of Practice and guidance.

18. Trade Union Facilities

Authorities shall provide the recognised trade unions with facilities necessary to carry out their functions, including paid leave of absence to attend meetings concerned with the work of the NJC and Regional / Provincial Councils and

the operation of a check off system whereby, with the consent of the individual, trade union dues are deducted from pay.

19. London and Fringe Area Allowances

London and fringe area allowances will continue to be paid in those authorities where they apply at 1 April 1997 and will be uprated in line with subsequent national pay settlements. This provision will apply until alternative arrangements are formally agreed[1] by the relevant Regional / Provincial Councils. Likewise all national provisions relating to London and fringe area allowances existing at 31 March 1997 will continue to apply unless they are changed by agreement in the appropriate negotiating body. These allowances will also apply as outlined above to all employees appointed in the authorities concerned after 1 April 1997.

[1] Note the Greater London Provincial Council's agreement in 2000 on new pay spines for inner and outer London

PART 3
OTHER NATIONAL PROVISIONS

		Page
1.	Pay and Grading……	**25**
2.	Working Arrangements……..	**25**
3.	Training and Development……	**125**
4.	Sickness Scheme……	**28**
5.	Child Care and Dependants…….	**29**
6.	Car Allowances……	**29**
7.	Payments to Employees in the Event of Death or Permanent Disablement Arising from Assault……..	**30**
8.	Meals and Accommodation Charges..	**31**
9.	Schools Retained Employees and Nursery Employees……	**31**
Appendix 1.	Transitional Provisions……..	**32**
Appendix 2.	Retained Employees and Nursery Employees in Educational Establishments……	**33**

1. Pay and Grading

1.1 National grading provisions of the former Manual Workers' Agreement and the former APT&C Agreement as at 31 March 1997 and the former APT&C scales remain as part of the new national agreement until superseded by local arrangements following local reviews of grading structure. The relevant paragraphs from the former APT&C and Manual Worker agreements are listed in Appendix 1.

1.2 An employee promoted or regraded to a higher grade should receive an immediate pay increase.

1.3 There should be local arrangements for recognising temporary additional duties where employees act up in the absence of more senior employees.

2. Working Arrangements

2.1 The arrangement of the working week shall be determined by the authority in consultation with the recognised unions with a view to reaching agreement. The working week of individual employees may vary from the standard of 37 hours (36 in London) provided that the individual's average over a predetermined period does not exceed the standard working week over the same period.

2.2 Local pay reviews will consider the issue of premium rates under the existing provisions of Part 3 of the National Agreement. In reaching local agreement concerning premium rates Paras 2.3 to 2.5 will apply. Where no local agreement concerning premium rates is reached Paras 2.6 and 2.7 will apply.

2.3 All employees required to work:

- Beyond the full-time equivalent hours for the period in question
- On Saturday or Sunday
- At night
- Sleeping-in duty
- Public Holidays
- Shift work
- In the evening
- On free or rest days following recall to work
- On standby
- On split shifts or split duties
- On an irregular hours basis
- Managing evening lettings

will have the arrangements for remuneration for these working patterns, clearly set out in their contracts of employment. This may be by way of an inclusive rate of pay; locally agreed premium payments, or, by such other method as shall be agreed by the local parties.

2.4 The pattern of any revised working arrangements and remuneration adopted by an authority should be clearly related to the continuous improvement of council services. In determining any new working arrangements required to deliver improvements authorities will:

i. Seek to meet employees' work-life balance needs and agree new arrangements that reflect the Joint Guidance at Part 4.5.
ii. Conduct an Equality Impact Assessment consistent with the NJC model is set out in Part 4.11
iii. Ensure that part-time workers receive equal treatment in line with the provisions of Part 2, Para 8.
iv. Ensure that arrangements are consistent with Equal Pay legislation.

2.5 In seeking to ensure work-life balance and the needs of the service, working time arrangements should avoid:

- Short notice changes to rostered or expected patterns of work
- Excessive hours in any particular week
- Unnecessarily long roster periods

2.6 Employees, in receipt of basic pay at or below point 28, who are required to work (a) beyond the full-time equivalent hours for the week in question or (b) on Saturday or Sunday or (c) at night or (d) on public holidays or (e) sleeping in duty or (f) other non-standard working arrangements are entitled to compensation as set out in sub-paragraphs (a) to (f) below. As an alternative, an inclusive rate of pay to recognise these requirements may be negotiated locally in accordance with the arrangements for modifying Part 3 provisions.

(a) **Additional Hours**

Employees who are required to work additional hours beyond their working week are entitled to receive enhancements on the following basis:

Monday to Saturday	Time and a half
Sundays and Public and Extra Statutory holidays	Double time (min 2 hours)

(Part-time employees are entitled to these enhancements only at times and in circumstances in which full-time employees in the establishment would qualify. Otherwise a full working week for full-time employees shall be worked by a part-time employee before these enhancements apply).

(b) **Saturday and Sunday Working**

Employees who are required to work on Saturday and / or Sunday as part of their normal working week are entitled to an enhancement.

Saturday	Time and a half
Sunday	Time and a half - basic pay above point 11
	Double time - basic pay at or below point 11

(c) **Night Work**

Employees who work at night as part of their normal working week are entitled to receive an enhancement of time and one third for all hours worked between 8.00 pm and 6.00 am.

(d) **Public and Extra Statutory Holidays**

Employees required to work on a public or extra statutory holiday shall, in addition to the normal pay for that day, be paid at plain time rate for all hours worked within their normal working hours for that day. In addition, at a later date, time off with pay shall be allowed as follows:

Time worked less than half the normal working hours on that day	Half Day
Time worked more than half the normal working hours on that day	Full Day

(e) **Sleeping-in duty**

Employees required to sleep in on the premises shall receive an allowance. The allowances from 1997 onwards are set out at the end of this document. This allowance covers the requirement to sleep in and up to 30 minutes call out per night, after which the additional hours provisions will apply.

(f) **Other non-standard working patterns**

Where employees are engaged in non-standard patterns of work other than those covered by (a) to (e) above, local arrangements for compensation will be negotiated.

This will include, for example:

(i) shift working
(ii) free and rest day working
(iii) evening working
(iv) recall to work (including travel time)
(v) standby duty
(vi) unavoidable split shift or split duty working

(vii) irregular hours working
(viii) lettings.

2.7 For employees above point 28 the employing authority shall have discretion to pay the allowances set out in 2.6 (except additional hours) or to apply an inclusive rate of pay to take all the features of the job into account. For planned additional hours working the authority may also make an additional payment.

3. Training and Development (Deleted: see Part 4.8)

4. Sickness Scheme

4.1 An employee shall not be entitled to claim sick pay under the scheme unless:

(i) notification is made immediately to the person identified for this purpose by the authority;
(ii) further notification is made as required by the authority;
(iii) a doctor's statement is submitted to the authority not later than the eighth calendar day of absence;
(iv) subsequent doctor's statements are submitted as necessary;
(v) in cases where the doctor's statement covers a period exceeding fourteen days or where more than one statement is necessary, the employee must, before returning to work submit to the authority a final statement as to fitness to resume duties;
(vi) on return to work the employee signs a statement detailing the reasons for absence for all absences up to and including seven days.

4.2 An employee shall, if required by the authority at any time, submit to a medical examination by a medical practitioner nominated by the authority, subject to the provisions of the access to Medical Reports Act 1988 where applicable. Any costs associated with the examination should be met by the employing authority. Where it is necessary to obtain a second medical opinion, it should be provided by an independent medical referee.

4.3 Where, for the purpose of qualifying for sick pay under the scheme, an authority requires a doctor's statement from an employee, the authority will reimburse the employee the cost of such a statement on the provision of a receipt.

4.4 An employee who falls sick during the course of annual leave shall be regarded as being on sick leave from the date of a doctor's statement.

4.5 Where an employee is receiving sick pay under the scheme, sick pay should continue if a public or extra statutory holiday falls during such sickness absence. No substitute public or extra statutory holiday should be given.

4.6 Widows and married women exercising their right to be excepted from the payment of full rate National Insurance Contributions shall be deemed to be insured in their own right for all National Insurance benefits.

5. Child Care and Dependants

Authorities should take reasonable steps to ensure adequate support for employees with responsibilities for children and dependants.

6. Car Allowances

6.1 Employees required to use their motor vehicles for the efficient performance of their duties will receive allowances for the use of their motor vehicles on business only after being so authorised by the local authority. The local authority may determine whether the use is casual or essential and the cubic capacity of car considered appropriate.

6.2 Essential users are those whose duties are of such a nature that it is essential for them to have a motor car at their disposal whenever required. If the employee uses a private car in carrying out those official duties then they shall be entitled to receive the lump sum allowance and mileage rates set out below.

6.3 Where a car is not in use as a result of either a mechanical defect or the absence of the employee through illness;

(i) The lump sum payments should be paid for the remainder of the month in which the car first went out of use, and for a further three months thereafter. For the following three months, payment should be made at the rate of 50% of the lump sum payment.

(ii) During the period when a car is off the road for repairs, reimbursement in respect of travel by other forms of transport should be made by the employing authority.

6.4 Casual users are those for whom it is desirable that a car should be available when required. The mileage rates are set out below.

6.5 Local authorities should not make it a condition of employment that employees graded below point 13 should provide motor cars for official use.

6.6 An authorised car user may apply to the authority for financial assistance to purchase a car.

6.7 The allowances are set out at the end of this document and will be reviewed by the NJC each year to take effect from 1 April or during the year as necessary.

Notes.

(a) Where a local authority authorises the use of a car in excess of 1450 cc it should fix an allowance not lower than that prescribed for the category 1200 to 1450 cc.

(b) The lowest category of allowance (451 to 999 cc) shall be payable only to employees actually using a vehicle with an engine falling into the 451 to 999 cc category.

(c) The scale of allowance to be paid to authorised employees of a local authority for the casual use of private motor cars whilst engaged on official duties operates so that a casual user does not at any mileage figure receive more than would have been received under the essential user allowance.

7. Payments to Employees in the Event of Death or Permanent Disablement Arising from Assault

7.1 Employing authorities shall make payments in accordance with sub-paragraph (7.2) hereof to any employee or, in the event of death, jointly to the dependants of any employee whose contract of service incorporates this National Agreement as amended from time to time, in the event of death or permanent disablement of the employee arising from a violent or criminal assault suffered by an employee in the course, or as a consequence, of their employment.

7.2 The amounts payable under sub-paragraph (7.1) are as follows:

(i) In the event of death within twelve months from the date of the assault and, in the opinion of the employing authority, by reason thereof, where the employee has left one or more dependants, the equivalent of five years' gross remuneration at the rate applying at the date of the assault or £35,000, whichever is the greater. Where the employee has left no dependants, the sum of £950 shall be payable.

(ii) In the event of permanent total or partial disablement as a result of the assault the percentage specified in the scale set out in this Scheme of five times gross remuneration applying at the date of the assault or £35,000, whichever is the greater; provided that such payments shall, at the discretion of the employing authority, be reduced by the amount of any damages, or compensation recoverable in respect of the particular injuries.

7.3 This recommendation is not intended to prevent an employing authority from paying amounts exceeding those specified in sub paragraph (7.2) if it is considered to be reasonable to do so or from providing also for circumstances other than assault if the authority is satisfied that such a provision can lawfully be made.

7.4 **Scale of Compensation**

(i) Death, total and irrecoverable loss of all sight in one or both eyes, total loss by physical severance or complete loss of use of one or both hands or feet at or above wrist or ankle, occurring within twelve months from the date of the assault: **100%**

(ii) Permanent total and absolute disablement (other than as stated at Item 1) from engaging in or giving attention to any profession or occupation of any kind: **100%**

(iii) Permanent partial disablement (not otherwise provided for above) the percentage of the capital sum set against the degree of disablement in the following table:

(a)Total loss of hearing in both ears	40%
(b)Total loss of hearing in one ear	10%
(c) Complete loss of use of hip or knee or ankle	20%
(d) Removal of the lower jaw by surgical operation	30%
(e) Fractured leg or foot with established non-union	25%
(f) Fractured knee-cap with established non-union	20%
(g) Shortening of a leg by at least 3 centimetres	15%

(h) Loss by amputation or complete loss of :

	Right	**Left**
	To be reversed if insured person is left handed	
(i) one thumb	20%	17.5%
(ii) one index finger	15%	12.5%
(iii) any other finger	10%	7.5%
iv) one big toe	10%	10%
(v) any other toe	3%	3%
(i) Complete loss of use of shoulder or elbow	25%	20%
(j) Complete loss of use of Wrist	20%	15%

8. Meals and Accommodation Charges

Arrangements in the former APT&C and Manual national agreements as at 31 March 1997 in relation to (i) free meals and (ii) accommodation and meal charges will remain in place unless and until alternative arrangements are agreed locally. In the meantime charges should be reviewed annually in line with movements in the appropriate sectors of the Retail Prices Index.

9. Schools' Retained Employees and Nursery Employees Appendix 2 sets out provisions relating to schools retained employees and nursery employees.

PART 3
APPENDIX 1: Transitional Provisions

1. Grading Provisions

The following paragraphs of the Purple Book and the Manual Handbook remain as part of the new national agreement until superseded by local arrangements following local reviews of grading structure.

Purple Book
Paragraphs 25, 26, 27, 28, 36
Yellow Pages - day nurseries

Manual Handbook
Section 2 (A), (B), (C) and (D)
Section 4 Paragraphs 3, 4 (+ Appendix A) 5, 8 (+ Appendix B) and 10

2. Working Arrangements

The following paragraphs of the Purple Book and the Manual Handbook remain as part of the new national agreement until 31.3.99:

Purple Book - Paragraph 38
Manual Handbook - Section 5

Note: A separate document will be produced setting out the details of the provisions remaining in the agreement.

PART 3
APPENDIX 2: Retained Employees and Nursery Employees in Educational Establishments

1. School crossing patrol attendants, retained school bus attendants and other retained education service escorts, and school meals service employees.

(a) Annual leave will normally be taken during school holidays. Alternative arrangements may be agreed locally. Payments for annual leave will be pro-rata to comparable full-time employees.

(b) In addition to the provisions set out in the agreement on annual leave and public and extra statutory holidays there shall be an entitlement to:

(i) payment for days when the school is closed during the term owing to exceptional circumstances such as, an election, visits, emergencies or the like, at full rate;

(ii) in the case of school meals employees only, not more than three additional days in each year may be granted for school closures during term time on account of half term and other permitted official holidays. Payment at full rate shall be made for any such additional days. Employees required to work on any such additional days are to be given equivalent time off in lieu at a later date, or if this is not practicable, payment shall be at double time rates.

(c) In respect of the remaining periods of the year when the school is closed employees are entitled to a retainer payment calculated at the rate of one half of the employee's normal weekly pay immediately prior to the school closure concerned, subject to the following conditions;

(i) Employees must undertake to return to work at the end of the school holiday period.

(ii) Employees called upon to work during any part of this period shall be paid plain time rates for the hours worked and the retaining fee shall cease for that part of the period.

(iii) Any employee undertaking alternative holiday employment with the same authority on the same or better pay is not entitled to the retainer pay in respect of such a period of additional employment.

(iv) One half of the retainer payment will be paid before the start of the holiday period and the remainder will be paid after school reconvenes. The payment may be withheld when an employee fails to return to work at the start of the new school term, except

where the employee is absent on sick leave or undertaking public duties or any other reason approved by the authority.

(v) The retaining fee is a special payment during school closure. Sickness pay should cease at the commencement of the school holiday period and the special payment should commence. Similarly an employee who is sick during school holidays is not entitled to sickness pay.

Note: In cases of sickness during periods when the special payment is made, no deduction should be made there from in respect of Social Security benefits receivable.

2. **Nursery Employees**

Nursery employees working directly with children in classrooms up to the age of seven or working with children attending a special school or with children with statements of special educational needs.

(a) Nursery employees are to be regarded as full-time employees if regularly employed for ten sessions or more per week (including lunch breaks where worked) during the school term or, where a sessional basis is inappropriate, for 32.5 hours (including lunch breaks where worked). The right of the employer to require further work outside normal school hours is subject to payment at the plain time rate (based on 1/32.5 of weekly pay) or at the overtime rate of 1.5/32.5 for hours worked beyond the standard working week.

(b) There will be no abatement of pay in respect of days not required to be worked during school holidays.

(c) Nursery employees employed full-time should be available to work for 195 days in any year, of which 190 days will be days on which pupil contact is required.

PART 4
JOINT ADVICE

		Page
4.1	Job Evaluation Scheme Guidance……	**36**
Appendix 1	Factor Guidance Notes and Factor Plan……	**40**
Appendix 2	Grading Appeals……..	**87**
Appendix 3	User's Manual……..	**88**
Appendix 4	Guidance on the Computerised Version (Gauge™)……	**95**
4.2	Equality and Diversity…….	**100**
Appendix	Sources and Publications……..	**112**
4.3	Guidance on Appeals…….	**114**
4.4	*Deleted and incorporated into 4.9*	**-**
4.5	Guidance on Family Related & Work Life Balance Issues…….	**117**
4.6	Parental Leave Model Scheme…….	**119**
4.7	Management of Health & Safety……...	**122**
4.8	Guidance on Local Workforce Development Plans…….	**126**
Appendix A	…….	**131**
Annex A	Sources of Information	**139**
4.9	Pay & Grading Reviews…….	**140**
4.10	Equal Pay Audits…….	**157**
4.11	Equality Impact Assessments……	**164**

PART 4.1: Job Evaluation Scheme

GUIDANCE

1. Single Status

1.1 The Local Government Single Status Job Evaluation Scheme has been developed jointly by the National Joint Council for Local Government Services (NJC) and is attached as **Appendix 1**.

1.2 As a key part of the process to achieve single status all jobs within scope of the "Green Book" (including jobs paid above the maximum of the spine but excluding those covered by the JNC for Chief Officers) will have to be graded on a common basis in accordance with equal pay legislation. The NJC believes that the design of its scheme meets this requirement.

1.3 The National Joint Council has also developed a users' manual and Technical Notes for use in authorities where the scheme is being implemented. The User's Manual and Technical Notes have the status of Part 4 provisions offering further guidance on applying the scheme.

1.4 Job evaluation should not be seen as a one off project. The processes used in individual local authorities to deliver a pay and grading structure rooted in the principles of equal pay should be retained and embedded in the post implementation pay and reward function, In accordance with the 2004 Implementation Agreement, employers should have a timetable for regular equal pay auditing. The National Joint Secretaries have produced joint advice on the approach to be taken to such audits. This is set out in Part 4.10 of the National Agreement.

2. Joint Ownership

2.1 Job evaluation gains maximum acceptance in the workplace when it is "owned" by both the employer and the employee. This scheme has been developed jointly by the employers and trade unions nationally on the basis that that joint partnership operates within the authority.

2.2 Provincial/associated councils are encouraged to support the use of the scheme by providing training, advice and guidance as appropriate.

2.3 Local employer and union representatives involved in introducing and applying the scheme will need full initial training and regular refresher training both in applying the scheme and in equality awareness to ensure decisions are free from bias.

2.4 The authority's trade union facility agreement may need to be reviewed to take on board the involvement of union representatives in implementing the scheme.

3. Openness

3.1 Openness and transparency are crucial to the integrity of the scheme. Information about the scheme and the process of evaluation should be clear and accessible and communicated to all concerned.

3.2 All employees need to know:

- why the scheme has been devised
- the principles of equal value and fairness on which it is based
- the factor plan and weightings
- how the scheme will be applied locally
- the arrangements for appeals
- the locally agreed protection provision.

3.3 Following the local grading review, all employees will have to be notified of their grade and appropriate pay point(s). In addition, individuals should be provided with the results of the evaluation of their jobs, on request, setting out the points scored under each factor.

4. Equality

4.1 The scheme has been designed to incorporate the principle of equal pay for work of equal value. The factor plan and weightings aim to be free from gender bias and discrimination on the grounds of all characteristics protected under the Equality Act 2010.

4.2 In developing the scheme and the users' manual, the Equal Opportunities Commission (EOC) and the Commission for Racial Equality (CRE) were consulted.

4.3 Further detailed guidance on equalities issues is set out in the users' manual.

5. Implementation

The NJC Users' Manual on the scheme gives detailed guidance on the implementation of the scheme at local level. It covers:

- Equalities issues
- Getting started - The Steering Group
- Selecting jobs to evaluate
- Gathering job information
- Using the job description questionnaire (JDQ)
- Joint panels
- Evaluating jobs
- Grading appeals

This should be used in conjunction with the EHRC Equal Pay Audit Toolkit and Part 4 advice on Equal Pay and Pay and Grading, and Job Evaluation Technical Notes

6. Re-evaluation & Appeals

6.1 An evaluation panel should re-evaluate a job where it is claimed that there has been a change to its content. This change may have resulted from the gradual addition of new features over a period or as a result of restructuring.

6.2 Part 2 paragraph 5 of the NJC agreement establishes the right to appeal for a reconsideration of grading. Procedures must be agreed locally to deal with such appeals. The NJC has issued joint guidance on the conduct of grading appeals.

6.3 In particular, where authorities are applying the scheme, procedures should be developed to ensure that appeals are decided using the scheme. A model procedure is attached at **Appendix 2**.

6.4 An employee who is dissatisfied with the grading of their job after an evaluation using this scheme has a right of appeal on one or more of the following grounds:

- the scheme has been wrongly applied e.g. factor levels have been wrongly allocated; the evaluation panel has failed to follow guidance etc.
- the job description questionnaire did not provide complete information
- it is believed that an equivalent job is more highly graded and paid.
- the job has been wrongly clustered for evaluation purposes or wrongly matched to a generic evaluation.

6.5 All union and employer representatives involved in appeals should be properly trained in the scheme design and operation and equalities considerations. They should not have been members of the panel which initially evaluated the job under appeal.

7. New Jobs

A new job should be evaluated by a joint panel.

8. Review

8.1 To maintain the relevance and integrity of the scheme it will be reviewed as necessary by the National Joint Council.

8.2 At local level, joint reviews of the operation of the scheme should be conducted regularly.

9. Further Guidance

9.1 The NJC has issued a users' manual on the scheme and its implementation. (Appendix 3)

9.2 For further guidance on job evaluation, equal pay for work of equal value and related issues see:

- NJC Part 4 Guidance on: 4.4 Equal Pay and Grading; 4.9 Pay and Grading Reviews; 4.10 Equal Pay Audits and 4.11 Equality Impact Assessments
- NJC Job Evaluation Technical Notes
- EHRC Equality Act 2010 Code of Practice on Equal Pay
- EHRC Equal Pay Audit Toolkit (which includes job evaluation checklists in step 2)
- EHRC Equal Pay in Practice checklists
- European Union Code of Practice on Equal Pay
- ACAS Advisory Booklet on Job Evaluation 2011

10. Copyright

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APPENDIX 1

GENERAL FACTOR GUIDANCE NOTES

1. Words and phrases in the factor and factor level definitions have their normal meanings, unless they are used in a specific context, which is explained in these Guidance Notes.

2. Some factor level definitions include alternative criteria for meeting that demand level. Where a job meets more than one of the alternatives, then the job should still be assessed at that level, unless the combination of relevant job features means that it meets the criteria for the next highest level.

3. Some factor level definitions incorporate introductory sentences with terms "some", "considerable", "high", "major", "very major". These represent a scale of demand; the individual phrases should be interpreted accordingly.

4. Part-time jobs: care must be taken when evaluating jobs known to be undertaken on a part-time basis to avoid treating them differently from full-time jobs. This is necessary to eliminate discrimination against predominantly female groups.

   This is especially true for those factors that require assessments of frequency and duration, for example, Physical Demands, Mental Demands and Working Conditions. It may be helpful, when making assessments under these factors, to examine the proportion of the part-timer's working for which the demand occurs and to relate this to the factor level definition.

   For example, a School Crossing Patroller normally works outdoors for virtually all of their working time and should be assessed on this basis, even though their working hours are limited. This may mean that the School Crossing Patroller scores higher in relation to this job feature than, say, a Car Park Attendant, who spends proportionately less time, but more actual hours outdoors. (The reduced hours outdoors of the School Crossing Patroller are, of course, accommodated through pro rata pay for hours worked.)

5. All evaluations must reflect the job requirements and not the abilities of the jobholder.

THE KNOWLEDGE AND SKILLS FACTORS - GENERAL GUIDANCE

1. In order to facilitate evaluation, and avoid omission or under-valuation of any individual job feature, the broad Knowledge and Skills area has been divided into a number of discrete factors. As a general rule, a specific type of knowledge and skill should be evaluated under only one of these factors, but distinct aspects of a skill may be evaluated under different factors, for example:-

   Language Knowledge and Skills: where a language other than English is required for communication purposes as part of the job, this should be assessed under the Communication and Interpersonal Skills factor: but:

   where sufficient knowledge of the structure, syntax and alphabet of a language other than English is required, for example, for translation or drafting purposes, then the level of knowledge required should be assessed under the Knowledge factor.

   Word Processing/Typing Knowledge and Skills: knowledge of **how to** operate a typewriter or computer keyboard and of associated lay-out techniques or software packages should be assessed under the Knowledge factor: and:

   the dexterity and co-ordination skills needed to achieve required standards of accuracy and speed should be assessed under the Physical Skills factor.

   Driving or Operating Skills: knowledge of **how to** drive or operate a particular type of vehicle or plant should be assessed under the Knowledge factor: and:

   the co-ordination and sensory skills needed to achieve required standards of accuracy and safety should be assessed under the Physical Skills factor.

2. If a specific type of knowledge or skill is required to carry out the job duties, then it should be assessed, even if it is only used occasionally.

KNOWLEDGE

This factor measures the Knowledge required for the job. It covers all technical, specialist, procedural and organisational knowledge required for the job, including numeracy and literacy; knowledge of equipment and machinery; and knowledge of concepts, ideas, other cultures or languages, theories, techniques, policies, procedures and practices.

It takes into account the breadth, diversity and range of knowledge and the depth and complexity of the understanding required.

This factor does not take into account physical, mental and interpersonal/communications skills required, as these are covered by separate factors.

Level 1: The job requires knowledge of the procedures for a limited number of tasks and the operation of associated basic tools and equipment. The jobholder needs to be able to follow straightforward oral and written instructions and keep basic work records.

Level 2: The job requires knowledge of the procedures for a range of tasks and the operation of associated tools and equipment. The jobholder needs basic literacy and numeracy skills.

Level 3: The job requires knowledge of the procedures for a range of tasks, some of which, singly or in combination, are relatively complex, and of the operation of associated equipment and tools. Literacy and numeracy skills are required.

Level 4: The job requires predominantly practical and procedural knowledge across a technical or specialist area or an equivalent level of organisational, procedural and policy knowledge.

Level 5: The job requires theoretical plus practical and procedural knowledge in a specialist area or an equivalent level of organisational, procedural and policy knowledge.

Level 6: The job requires advanced theoretical, practical and procedural knowledge across a specialist area or an equivalent level of organisational, procedural and policy knowledge.

Level 7: The job requires advanced theoretical, practical and procedural knowledge across a specialist area plus detailed knowledge of the associated organisational policies, practices and procedures or an equivalent level of organisational, procedural and policy knowledge.

Level 8: The job requires advanced theoretical, practical and procedural knowledge across a specialist area plus detailed knowledge of the associated organisational policies, practices and procedures for that and other related specialist areas or an equivalent level of organisational, procedural and policy knowledge.

KNOWLEDGE - GUIDANCE

1. **Literacy and Numeracy**: references to work records and literacy and numeracy at levels 1 - 3 relate to the levels of such skills generally associated with the procedural and equipment knowledge needed at the relevant level:-

   Basic literacy and numeracy skills (at level 2) involve the ability to read text, write straightforward sentences, and undertake straightforward arithmetic functions.

   Literacy **skills** (at level 3) include composing and/or transcribing material ensuring that spelling, grammar and punctuation are correct. Numeracy **skills** include an understanding of percentages and decimals.

   Literacy should be considered in a broad sense (e.g. to include map reading).

2. **Area of Knowledge**: knowledge **across** a **specialist or technical** area (at level 4 and above) means that the jobholder requires knowledge of all the available practices and procedures for the particular area.

   Practical and Procedural knowledge (at level 4 and above) includes detailed knowledge of how tasks need to be undertaken or situations managed across a specialist area either directly by the job holder or in order to give advice.

   Theoretical knowledge (at level 5 and above) includes knowledge of relevant concepts and principles, including, where relevant, detailed knowledge of legislation and statutory guidance, in order to be able to apply it to own work area.

   Advanced knowledge (at level 6) implies that a considerable depth of knowledge across the relevant specialist area is required. This may include interpretation of legislation and statutory guidance.

   Where a job covers a narrow specialist area (e.g. child protection compared with social work generally; or bridge maintenance compared to civil engineering generally), but requires knowledge across the whole specialist area as essential background or context to the work, then this should be taken into account in assessing the level of Knowledge required.

   Specialist or technical knowledge includes understanding of the operation of associated equipment and tools, where relevant.

3. **Qualifications**. The Knowledge factor levels are defined in terms of the types of knowledge actually needed for the job, with no reference to any related qualifications.

   Qualification levels specified for a job may be misleading as a means of determining the level of knowledge required. For instance, specified qualifications may understate the level of knowledge required, if, for

example, they represent a minimum academic qualification used as the basis only for the acquisition of procedural job knowledge (e.g. 4 GCSEs specified for complex clerical work).

On the other hand, specified qualifications may overstate the level of knowledge required, for instance, if they are used to restrict the number of applicants for a post.

Qualifications as a measure of knowledge required for a job may also disadvantage (and indirectly discriminate against) those groups in the workforce which have had less opportunity to acquire the relevant qualifications.

Relevant qualifications and training may, however, provide an **indicator** only of the type and level of Knowledge needed to perform the job duties properly. Jobholders need not necessarily hold such qualifications - they may have acquired an equivalent level of knowledge through some combination of relevant experience (work-related, or acquired through voluntary activities or general life experience) and on- or off-the-job training. Consider also what qualifications would currently be expected of new jobholders.

On this basis, indicative levels of experience, training and qualifications are shown below. The knowledge could be gained, for example, through:-

Level 1: A short induction period at the workplace, NVQ1 equivalent

Level 2: Specific training in the job tasks, or through previous relevant experience plus a short induction period, or through some equivalent combination of previous experience and training / induction, NVQ2 equivalent.

Level 3: Previous formal education or training, or equivalent experience, plus on-the job training and experience, NVQ3 equivalent

Level 4: Formal off-the job training supplemented by a short induction period. Alternatively, the knowledge could be gained through extended experience and / or training in relevant areas of work, NVQ4 equivalent.

Level 5: A combination of formal off-the-job training and experience in relevant areas of work over a period of years, or through previous education to graduate level. "Practitioner level" where knowledge of the full range of procedures is required and some knowledge of the theoretical basis on which they have been developed. A job holder might have considerable experience, but not necessarily a professional qualification at this level. May include part-qualified or newly qualified professional posts,

Level 6: Extended previous formal training, to graduate or chartered professional qualification level, or equivalent**,** plus training or

experience in the application of the knowledge to the specific requirements of the job. A job at this level could require an experienced and/or specialist professional or a more generalist manager with knowledge across a range of areas.

Level 7: Extended previous formal training, to graduate or chartered professional qualification level, or equivalent**,** plus training or experience in the application of the knowledge to the specific requirements of the job, plus experience in relevant areas of work Either a professional post with a considerable breadth and depth of knowledge and experience across a specialist area (master's level equivalent in specialist field such as public health) *where this is a requirement of the job*, or a more generalist manager who has managerial responsibility for a range of specialist areas.

Level 8: Extended previous formal training, to graduate or professional qualification level, or equivalent**,** plus training or experience in the application of the knowledge to the specific requirements of the job, plus extensive experience in the relevant areas of work.

This level would also be appropriate to specialist posts requiring advanced postgraduate qualifications (doctorate or equivalent) plus both breadth and depth of knowledge across the specialist area.

4. **Equal Opportunities**: account should be taken of the knowledge of equal opportunities concepts, ideas, theories, techniques, policies, procedures and practices, along with all other types of knowledge required for the job.

   Knowledge of other cultures should be taken into account at all levels, where relevant.

5. **Policy Development and Advice**: for policy development, research, advisory and similar jobs, account should be taken under this factor of knowledge of any concepts, ideas, theories, techniques, policies, procedures and practices required for the work, together with relevant subject area knowledge (e.g. knowledge of housing policy, concepts, ideas, theories, statutes, regulations etc. for a housing policy development job)**.**

   Requirements of such jobs for investigatory, analytical and developmental skills should be measured under the Mental Skills factor.

6. **First Aid Knowledge**: should only be taken into account when it is a specific job requirement.

MENTAL SKILLS

This factor measures the Mental Skills required for the job. It includes analytical, problem solving and judgement skills. It also includes creative and developmental skills, whether related to design, handling of people or development of policies and procedures; and planning and strategic skills.

It takes into account requirements to gather, collate and analyse the facts needed to solve problems; and also requirements for imaginative thinking.

Level 1: The job requires judgement skills, in order to identify straightforward solutions to simple problems.

Level 2: The job requires judgement or creative skills, where there is some need to interpret information or situations and to solve straightforward problems.

Level 3: The job requires analytical and judgement or creative and developmental skills, where there is need to interpret information or situations and to solve varied problems or develop solutions or plans over the short term.

Level 4: The job requires analytical and judgement or creative and developmental skills to analyse and interpret complex information or situations and to solve difficult problems or develop solutions or plans over the medium term.

Level 5: The job requires analytical and judgement or creative and developmental skills to analyse and interpret varied and complex information or situations and to produce solutions or strategies over the long term.

Level 6: The job requires analytical and judgement or creative and developmental skills to analyse and interpret very varied and highly complex information or situations and to produce solutions or strategies over the long term.

MENTAL SKILLS - GUIDANCE

1. In this context, "**planning**" has its normal dictionary definition of:

   "the establishment of goals, policies and procedures for a social or economic unit",

   rather than any specific meaning in the local authority context, for example, town and country planning or economic development.

   Similarly, "**analytical**" has its normal dictionary meaning of:

   "examining and identifying the components of the whole".

At levels 1 to 3 jobs may involve the application of ideas or concepts created by others but new to the organisation. At levels 4 to 6 jobs are likely to require innovative skills to develop fresh ideas or concepts.

2. **Complexity:**

'Complex information' (level 4) has several aspects , not all of which may be immediately apparent, so may require investigation of a number of sources and may be interpreted in more than one way

'**Varied and complex information' (level 5)** has many aspects, at least some of which are not immediately apparent and require investigation of several sources and may be interpreted in several different ways

'**Very varied and highly complex information' (level 6)** has numerous aspects, all of which need to be taken into consideration. Many aspects are not immediately apparent, so require detailed investigation of many sources, and may be interpreted in many different ways

3.. **Planning Timescales**: Timespans are only indicative and it is the overall planning and analytical content of the job that should be assessed, whether few longer-term plans/projects or many shorter-term. References to the timescale for solutions and planning relate to the period over which the plans are made, **not** to the durability of what is planned.

Indicative timescales are:

Short term: up to several weeks;

Medium term: several months, up to a year;

Long term: more than a year.

The degree of complexity involved in the work should be objectively assessed***.***

4. **Relationship to Other Factors**: the factor evaluates the Mental Skills required by the job irrespective of the level of initiative and independence, or its level of responsibility, which are measured under other factors in the scheme. For example, a computer programmer requires mental skills to design a suitable program for a specified purpose, but may not have made the decision for the program to be designed. The same may apply to an architect designing a building. In both cases, the level of Mental Skills may be high relative to the level of Initiative and Independence.
The importance or value to the organisation of the computer program or building is irrelevant to the assessment of the Mental Skills required (although it may be taken into account under the relevant Responsibility heading).

INTERPERSONAL AND COMMUNICATION SKILLS

This factor measures the Interpersonal and Communication Skills required for the job. It includes oral, linguistic, sign and written communication skills.

The emphasis of the factor is on the purpose to which the interpersonal and communication skills are put (for example, training, educating, promoting, obtaining information from others, interviewing, gaining the co-operation of others, team working, advising, motivating, persuading, counselling, conciliating, negotiating, meeting the needs of others).

The factor covers the complexity or contentiousness of the subject matter to be conveyed, and any requirements to exercise confidentiality or sensitivity. It takes into account the nature, diversity, cultural background and size of the intended audiences.

Level 1: The job involves exchanging straightforward information, usually orally, and with work colleagues, but could include other people.

Level 2: The job involves exchanging orally or in writing information to inform other staff or members of the public. Some tact may be required.

Level 3: The job involves either:

(a) exercising interpersonal caring skills, in order to meet the basic welfare needs of clients (see Guidance Note 2): or:

(b) exercising training or motivational skills in relation to other members of staff: or:

(c) exchanging orally or in writing varied information with a range of audiences: or:

(d) exercising advisory, guiding, negotiating or persuasive skills:

or:

(e) using a language other than English where there is a need to exchange greetings and straightforward information in that language.

Level 4: The job involves either:

(a) exercising developed interpersonal caring or training skills, in order to meet the more demanding needs of clients: or

(b) exercising developed training, developmental, leadership or motivational skills in relation to other staff: or:

(c) exercising developed advisory, guiding, negotiating or persuasive skills in order to encourage others to adopt a particular course of action: or

(d) exchanging orally and in writing complicated or sensitive information with a range of audiences: or:

(e) using one or more languages other than English where there is a need to exchange complicated information with individuals, or to identify and respond to the needs of clients, in that language.

Level 5: The job involves either:

(a) exercising highly developed interpersonal caring or training skills in order to meet the very demanding needs of clients:

or:

(b) exercising highly developed advisory, counselling, negotiating or persuasive skills, or advocacy, in order to convince others to adopt courses of action they might not otherwise wish to take: or

(c) exchanging orally and in writing complex and contentious information with a range of audiences, including non-specialists: or:

(d) using one or more languages other than English where there is a need to exchange orally and in writing complicated information with groups and individuals, or to identify and respond to the demanding needs of clients, in that language.

Level 6: The job involves either:

(a) exercising very highly developed caring or training skills, in order to meet the exceptionally demanding needs of clients: or:

(b) exercising very highly developed influencing, counselling, negotiating and persuasive skills, or advocacy, in order to convince others to adopt policies and courses of action they might not otherwise wish to take: or:

(c) exchanging orally and in writing wide ranging complex and contentious information with a range of audiences, including non-specialists.

INTERPERSONAL AND COMMUNICATION SKILLS - GUIDANCE

1. **Scope of Factor**: the job should be evaluated according to the **most demanding form** of interpersonal or communication skill (so, for example, a job requiring highly developed interpersonal caring skills should be assessed at level 5, even if the written communication skills needed are level 2 or 3 only).

   Communication skills refer to oral and/or written communication skills. Interpersonal skills, at level 3 and above, include caring, leadership, motivational, and persuasive skills including those associated with the supervision and management of own staff. The actual responsibility for supervising employees is measured under the Responsibility for Supervision/Direction/Co-ordination of Employees.

   The level of interpersonal and communication skills takes into account the nature of the clients, staff, and other audiences or recipients of information. Certain individuals or groups may require more developed skills because of their circumstances, positions, attitudes or ability to understand the information being conveyed.

2. **Clients**: in this context, clients are people who are dependent upon the caring skills and services of the local authority, for example, the elderly, mentally infirm, those with mental or physical impairments. Clients in this context also include those whose needs are identified and catered for in settings such as schools and nurseries, that is, young children and school pupils dependent on the organisation for their educational and developmental welfare. Clients exclude internal authority customers (as in client departments) or external customers (for example, members of the public with planning applications), because neither are dependent on the local authority for their care and welfare.

   The **exceptional needs of clients** refer to those which are exceptionally demanding, not to those which are out of the ordinary.

3. **Advisory and guiding skills** at level 3 and above (levels 3c, 4d, 5b) require more than conveying information; advising is more than informing in this context. Advising skills apply, for example, where the recipient has more than one option available to them and the jobholder is assisting them to make a choice between the options, perhaps by setting out the advantages and disadvantages of each, but also by guiding them towards an appropriate option and/or away from inappropriate options.

4. **Languages other than English**: level definitions 3(e), 4(e) and 5(d) relate to different levels of demand for communication in one or more languages other than English, where this is required for effective performance of the job duties.

   The language referred to could, for example, be Welsh in a Welsh speaking area. Or it could be a relevant ethnic minority language in an area with significant numbers of ethnic minority residents.

5. A recognised **sign language**, required for communication with clients or members of the public, is to be treated in the same way as a language other than English for the purposes of applying the level definitions.

PHYSICAL SKILLS

This factor measures the Physical Skills required for the job. It covers manual and finger dexterity, hand-eye co-ordination, co-ordination of limbs, and sensor v co-ordination.

It takes into account the purpose to which the skills are put and demands arising from the need to achieve specified standards of speed and precision.

Level 1: There are no particular requirements for developed physical skills.

Level 2: The work requires dexterity, co-ordination or sensory skills, where there is some demand for precision in the use of these skills.

Level 3: The work requires dexterity, co-ordination or sensory skills, where there is either: (a) some demand for both precision and speed: or: (b) considerable demand for precision, in the use of these skills.

Level 4: The work requires dexterity, co-ordination or sensory skills, where there are: either: (a) considerable demands for both precision and speed: or: (b) high demands for precision, in the use of these skills.

Level 5: The work requires dexterity, co-ordination or sensory skills, where there are very high demands for precision in the use of these skills.

PHYSICAL SKILLS - GUIDANCE

1. This factor covers all applications of Physical Skills, for example, in operation of hand tools and other equipment. Activities involving limited dexterity, with no requirement for developed physical skills, for example, using a pen, pencil or ruler, are covered by level 1. Relatively few jobs are likely to be assessed at level 1.

2. The factor covers:-

   Driving Skills - where required for carrying out the job duties. The level of skill required may vary with the context of the driving, the size and complexity of the vehicle or plant, and the nature of the passengers or load carried.

   The driving skills required for an ordinary car, van or similar vehicle are covered by level 2. The level of physical skills may be higher when the nature of the load or passengers carried, the size and complexity of the vehicle (for example, whether an articulated vehicle, or one having ancillary equipment attached), or the driving conditions are taken into account. Any of these may increase the demand for precision particularly, but possibly also speed, in the use of the skills.

   Typical examples of vehicle and factor levels are:

   Car or light van - level 2

Minibus or similar - level 2 or 3
Medium van or similar - level 2 or 3
Large van or truck - level 3 or 4
Tractor, road roller, dump truck or similar - level 3 or 4
Articulated vehicle or JCB - level 4:

Note: account needs to be taken of the operation of any ancillary equipment or requirements for manoeuvring vehicle in confined spaces in determining which of the alternative levels is appropriate. The requirement for a particular type of driving licence may be indicative of the level of skills needed.

Keyboard Skills - where required for carrying out the job duties. The level of skill required may vary with the context, nature and purpose of the keyboard activities, and any time constraints.

Level 2 requires some precision in the use of the keyboard, for example, administrative or research jobs involving use of computers for some aspects of the work.

Level 3 involves elements of both precision and speed, where the keyboard skills are integral to the main duties.

Level 4 covers the precision and speed required by specialist keyboard operators, applying considerable precision and speed, in order to complete tasks to the required standards and timescales.

Use of tools and equipment:

Level 2, some precision in the use of tools and equipment is where some co-ordination of hands, arms, possibly feet and eyes is required to undertake relevant tasks, for example, using a spanner or screwdriver, controlling a brush, mop, vacuum cleaner, trolley or similar tools or equipment, or to load a dishwasher, use of a road measuring wheel.

Level 3, considerable precision in use of equipment and tools is where co-ordination of fingers, hands, arms, possibly feet and eyes is required to undertake relevant tasks, for example, use of a chisel or paintbrush, use of a knife to peel or chop vegetables, control of a hoist for lifting and moving people, setting and use of surveying equipment.

Level 4, high precision in use of equipment and tools is where co-ordination of fingers, hands, arms, possibly feet and eyes is required to undertake relevant tasks, for example, use of fine tools and equipment in a confined space, manual setting of measuring or other tools or equipment.

Level 5, very high precision in the use of equipment and tools requires co-ordination where exact positioning of fingers, hands, arms, possibly feet and eyes is crucial in undertaking relevant tasks, for example, a conservator positioning and assembling pieces of ancient pottery.

3. **Speed** - relates to the speed with which the physical skills are exercised and not to the speed of the outcome. For example, pressing a button to release a rocket set to fly faster than the speed of sound requires only limited precision and speed.

The definitions relate to the standard level required for competent performance of the job duties. Any higher rates achieved, for example, in order to meet performance targets, should not be taken into account.

Precision - refers to any precise action, irrespective of job context.

. **Previous Requirements for Physical Skills.** The level of skill required should be that needed for the job, and not any other level required for a previous career position. Thus, a supervisor of drivers only needs driving skills if still required to drive, or to train others. The same applies to word processing skills for an office manager.

INITIATIVE AND INDEPENDENCE

This factor measures the scope allowed to the jobholder to exercise initiative and take independent actions.

It takes into account the nature and level of supervision of the jobholder; the level and degree of direction and guidance provided by policies, precedents, procedures and regulations; and any requirements to organise or quality check own work.

Level 1: The job involves following instructions which define the tasks in detail. Minimal personal initiative is required. The job is subject to supervisory or customer checks or close supervision.

Level 2: The job involves working from instructions, but making minor decisions involving the use of initiative. Problems are referred to a supervisor/ manager. Little close supervision is necessary beyond that provided by working arrangements and methods.

Level 3: The job involves working within recognised procedures, which leave some room for initiative. The work may involve responding independently to unexpected problems and situations. The jobholder generally has access to a supervisor/ manager for advice and guidance on unusual or difficult problems.

Level 4: The job involves working within recognised procedures, within which the jobholder is required to organise own workload. The work involves making decisions as to when and how duties are to be carried out, and responding independently to unanticipated problems and situations. The jobholder generally has access to a supervisor / manager for advice and guidance on serious problems.

Level 5: The job involves progressing a series of activities within recognised guidelines. The work involves making frequent decisions and exercising initiative without ready access to more senior officers / managers. The jobholder consults a supervisor/ manager for advice on policy or resource issues.

Level 6: The job involves working within broad practice or guidelines. The work involves using discretion and initiative over a broad area of activity, with little access to more senior officers/ managers. The job is subject to managerial direction.

Level 7: The job involves working within organisational policies. The work involves using wide discretion and initiative over a very broad area of activity, with little access to others. The job is subject to general managerial direction.

Level 8: The job involves working within the overall policy of the organisation. The work involves using very wide discretion and initiative over a very

broad area of activity, without recourse to others. The job is subject to minimal managerial direction.

INITIATIVE AND INDEPENDENCE - GUIDANCE

1. **Organisational Policies:** all work is undertaken within organisational policies, including their development. Absence of reference to such policies at levels below levels 7 & 8 does not mean that these levels are not within organisational policies, but that they are also subject to more detailed procedures, which themselves are within organisational policies.

2. **Recommendations:** jobholders may contribute to the decisions of others by making recommendations. The initiative involved in making such recommendations should be taken into account. The level of initiative in making recommendations will depend on how close to or far from the relevant decision making they are, their degree of influence, the breadth of activity to which they relate, and the degree of direction provided.

3. **Joint Decision Making:** the nature and extent of the jobholder's contribution to joint decision making by different people, departments or committees should be taken into account in assessing the level of initiative, in the same way as with recommendations. The sharing of decision making and action taking may reduce the level of initiative.

4. **Unexpected Problems and Situations**: (at level 3) include those where a jobholder attends a particular location to carry out a set of duties within recognised procedures, only to find that the situation has changed, but dealing with this is also covered by recognised procedures.

5. **Unanticipated Problems and Situations**: (at level 4) are those for which no specific procedures are available to the jobholder when decisions have to made without reference to a supervisor/manager.

6. **Organisation of Workload:** (at level 4) includes deciding what needs doing and how it should be done in order to meet the needs and demands of others, either internal or external. For example, an IT support job would involve organising the workload arising from internal customer demands. Similarly, a housing repairs job could involve organising the workload arising from external customer (tenant) requests for assistance.

7. **Progressing a series of activities (level 5)** includes organising the workloads of a team, or a number of different activities within one role, for example, allocating and re-allocating project and response work amongst a team, or projects in relation to different aspects, involving different requirements and sets of people.

PHYSICAL DEMANDS

This factor measures the type, amount, continuity and frequency of the physical effort required by the job. It covers stamina as well as strength.

It takes into account all forms of bodily effort, for example, that required for standing and walking, lifting and carrying, pulling and pushing. It also includes the physical demands involved in working in awkward positions, for example, bending, crouching, stretching; for sitting, standing or working in a constrained position; and for maintaining the required pace of work.

Level 1: Tasks or activities are undertaken mainly in a sedentary position, and allow for considerable flexibility of movement. There may be limited requirements for standing, walking, bending or stretching; or an occasional need to lift or carry items.

Level 2: The job involves either:

(a) some ongoing physical effort (for example, regular sitting in a constrained position, or standing, or walking at a normal pace, for long periods); or:

(b) normally limited physical demand, but with periodic requirements for considerable physical effort (for example, lifting or carrying, pushing or pulling items of light to moderate weight, rubbing or scrubbing, or working in an awkward position).

Level 3: The job involves either:

(a) ongoing considerable physical effort (for example, regular lifting or carrying, pushing or pulling items of moderate weight, rubbing or scrubbing, or working in awkward positions): or:

(b) normally limited or some physical demand, but with periodic requirements for high physical effort (for example, lifting or carrying, pushing or pulling items of heavy weight, or working in very awkward positions).

Level 4: The job involves either:

(a) ongoing high physical effort (for example, frequent lifting or carrying, pushing or pulling items of moderate or heavy weight, rubbing or scrubbing, or working in very awkward positions): or:

(b) normally considerable physical demand, but with periodic-requirements for very high physical effort (for example, lifting or carrying, pushing or pulling items of very heavy weight, or manual digging).

Level 5: The job involves ongoing very high physical effort (for example, frequent lifting and carrying, or pushing and pulling, items of heavy or very heavy weight, or manual digging).

PHYSICAL DEMANDS - GUIDANCE

1. **Frequency and Continuity:** the level definitions incorporate a scale of frequency and continuity, as follows:

   Occasional - infrequently and/or for a short period of time - would generally result in the job being assessed at level 1 or 2, depending on the nature of the effort (unless the job also involves other forms of physical effort) e.g. if the demand is seasonal or occurring on average less than one day/shift in 10 over the year as a whole;

   Periodic - more frequent than occasional, but less frequent than regular; effort not necessarily associated with normal job duties;

   Regular - in the dictionary sense of repeated; would usually be associated with normal job duties;

   Frequent - in the dictionary sense; certainly associated with normal job duties;

   Ongoing - continuous or almost continuous; associated with the job duties undertaken for most of the working shift.

   Demands over particular periods relate to the nature of the work so, when evaluating a part-time job, which is not normally done on a 37 hours per week basis, for example, most school support roles, the assessment should be as if it were carried out on a full time basis.

   It is assumed that all relevant health and safety regulations are complied with. However, in considering the continuity of effort, breaks required by health and safety regulations (for example, for VDU work or driving), or other recognised breaks, should not be treated as breaks in the period of effort.

   Considerable physical effort, for example, could be rubbing/scrubbing tables, painting walls or doors with brush or roller, lifting/carrying piles of files or buckets of water or pushing a wheelchair with child or adult occupant.

   High physical effort, for example, could include scrubbing floors, sawing wood, lifting or carrying large containers of food or similar, pushing a wheelchair with a heavy occupant, pushing a well-laden trolley or sweeping mud or ice.

   Very high physical effort, for example, could include lifting or carrying sacks of potatoes, pushing/pulling full wheelie bins or a bed with a very heavy occupant, digging heavy soil or soil below ground level or laying full-size paving stones.

2. **Weights:** light, moderate and heavy, have their normal everyday meanings, and are to be applied consistently, regardless of the physical characteristics of the jobholder and whether the duties are normally carried out by women or by men; or by small people or large people; or by fit or unfit people. So, a sack of cement or a sack of potatoes is a heavy weight, even if it is lifted and carried without obvious exertion by a tall, fit, young person.

3. **Mechanical aids**: Where mechanical aids are available, these should be taken into account when assessing the level of demand. For instance, other things being equal, moving sacks of potatoes with the aid of a trolley involves less demand than lifting and carrying the sacks over the same distance.

4. **Constrained Position:** is where the jobholder has to remain in a fixed and tensed position, in order to be able to carry out the job duties efficiently. For example, sitting in a fixed and tensed position at a keyboard, in order to type most efficiently and at speed; sitting in a vehicle driving seat in a position which is constrained by driving wheel, gear controls, brake and accelerator, in order to drive properly; standing in a rigid position to wash pans or operate equipment.

MENTAL DEMANDS

This factor measures the degree and frequency of the mental concentration, alertness and attention required by the job.

It takes into account features which may make concentration more difficult, for example, repetitive work, interruptions or the need to switch between varied tasks or activities; and other forms of work related pressure, for instance, arising from conflicting work demands. It also takes into account the responsiveness required of the jobholder.

Level 1: The job requires general awareness and sensory attention with short periods of concentrated sensory attention or short periods of enhanced mental attention.

Level 2: The job requires general awareness and sensory attention, with either:

(a) medium periods of concentrated sensory attention: or
(b) medium periods of enhanced mental attention: or
(c) short periods of concentrated mental attention: or
(d) some work-related pressure, for example, from deadlines, interruptions or conflicting demands on the jobholder.

Level 3: The job requires general awareness and sensory attention, with either:

(a) lengthy periods of concentrated sensory attention: or
(b) lengthy periods of enhanced mental attention: or
(c) medium periods of concentrated mental attention: or
(d) considerable levels of work-related pressure, for example, from deadlines, interruptions or conflicting demands on the jobholder.

Level 4: The job requires general awareness and sensory attention with either:

(a) prolonged periods of concentrated sensory attention: or
(b) prolonged periods of enhanced mental attention: or
(c) lengthy periods of concentrated mental attention: or
(d) high levels of work-related pressure, for example, from deadlines, interruptions or conflicting demands on the jobholder.

Level 5: The job requires general awareness and sensory attention with either:

(a) prolonged periods of concentrated mental attention or:
(b) lengthy periods of concentrated mental attention over a range of different activities: or:
(c) very high levels of work-related pressure, for example, from deadlines, interruptions or conflicting demands on the jobholder.

MENTAL DEMANDS - GUIDANCE

1. **Sensory Attention:** attention of the senses (eyes, ears, smell), as in watching, looking, listening, touching, smelling.

   General awareness and sensory attention is the level required for day-to-day activities, such as moving from one place to another.

   Concentrated Sensory Attention: occurs when the jobholder needs to be particularly alert, for example, to traffic or the actions of children; concentrating on visual or aural activities, for example, typing, word processing, data input.

2. **Mental Attention:** attention of the mind, as in thinking, calculating.

   Enhanced Mental Attention: occurs, for example, when undertaking the checking of documents for completeness or correctness (possibly of simple arithmetic), carrying out occasional calculations etc.

   Concentrated Mental Attention: occurs, for example, when undertaking repeated manual calculations, data analysis or other work with figures; or ordering of facts, as for instance, in report writing or preparation of a presentation.

3. **Timespans:** demands are affected by the periods for which the attention is needed:

   Short periods - periods of minutes, up to, about, one hour.

   Medium periods - periods of between one and two hours.

   Lengthy periods - periods of more than 2 hours at a time

   Prolonged periods - all or most of a normal working day

   Note 1. where evaluating a part-time job, which can equally be done on a full- time basis then it should be assessed as if it were a full-time job.

   Note 2 When evaluating a part-time job, which is not normally done on a 37 hours per week basis, for example, most school based roles, the period of time should also be assessed as though it were a full-time job, for example, although normally working for periods of less than an hour at a time, a School Crossing Patroller or Midday Supervisor, should be assessed as though they were carrying out their duties for a full working day, so the concentrated sensory attention for traffic and pupils would normally be treated as ‘prolonged’.

Breaks required by health and safety regulations (for example, for VDU work or driving), or other recognised breaks, should not be treated as breaks in the period of attention.

Demands over particular periods relate to the nature of the work, **and not** to the contractual hours of the jobholder.

4. **Frequency**: the frequency of the mental demand must be also be considered when assessing this factor. Very occasional or infrequent mental demands, even, for example, for a prolonged period, would be insufficient to score above level 1. The focus should be on typical periods of attention and the type of mental demands under consideration should apply at least once a week and for more than 10% of working time to be measured.

5. **Work Related Pressures** arise from features outside the control of the jobholder. Possible sources include interruptions, conflicting demands (more than one person requiring assistance simultaneously), constraining deadlines (for example, post or bank deadlines; administrative or service delivery deadlines; financial deadlines) or other time pressures. The nature and impact of interruptions should be taken into account. For example, answering a telephone call where this is an integral part of the job should not be viewed as an interruption but can be viewed as work-related pressure. Unavoidable interruptions are where the jobholder has no opportunity to make themselves "unavailable" and where there is a need to divert attention from what is being done to meet the demands of the person making the interruption.

   Volume of work, as such, should not be taken into account and is better dealt with in other ways. Otherwise decreasing volumes of work (through additional staff being appointed) could result in down-scoring of jobs; or increasing volumes of work could result in the up-grading of jobs (at the cost of desirable work practices).

   Considerable work related pressure – conflicting pressures, interruptions causing change of work activity, or unpredictable deadlines are a regular feature of the work, and occur at least monthly but not as often as weekly, on average.

   High work related pressure - conflicting pressures, interruptions causing change of work activity, or unpredictable deadlines are a regular feature of the work, and occur at least weekly, but not as often as daily, on average.

   Very high work related pressure - conflicting pressures, interruptions causing change of work activity, or unpredictable deadlines are a regular feature of the work, and occur daily, on average.

EMOTIONAL DEMANDS

This factor measures the nature and frequency of the Emotional Demands on the jobholder arising from contacts or work with other people.

It takes into account the situation in which the contacts or work with other people occur, for example, whether they are angry, difficult, upset or unwell; or whether their circumstances are such as to cause stress to the jobholder, for example, if the people concerned are terminally ill, very frail, at risk of abuse, homeless or disadvantaged in some other way.

Level 1: The job involves limited contact with, or work for, other people, which through their circumstances or behaviour place minimal emotional demands on the jobholder.

Level 2: The job involves contacts with, or work for, people, which through their circumstances or behaviour occasionally place emotional demands on the jobholder.

Level 3: The job involves contacts with, or work for, people, which through their circumstances or behaviour either:

(a) regularly place emotional demands on the jobholder or:

(b) occasionally place significant emotional demands on the jobholder.

Level 4: The job involves contacts with, or work for, people, which through their circumstances or behaviour either:

(a) regularly place significant emotional demands on the jobholder

or

(b) occasionally place intense emotional demands on the jobholder.

Level 5: The job involves contacts with, or work for, people, which through their circumstances or behaviour regularly place intense emotional demands on the jobholder.

EMOTIONAL DEMANDS - GUIDANCE

1. **Sources of Emotional Demands:** covers demands arising from people-related features of the job (in contrast to the Mental Demands factor which covers demands arising from work-related features). Emotional demands are those which cause emotional pressure and may result in the jobholder feeling upset, or grieved, or angry.

Job features must be looked at objectively. Account should still be taken of the source of the emotional demand, where individual jobholders, who deal frequently with it, may learn to "cope" and not to demonstrate the emotional pressure on them.

It is assumed that all relevant precautions are taken, that the jobholder is trained to deal with the relevant people and complies with health and safety procedures.

2. The **'people'** who impose emotional demands may include the public, local authority members, other employees of the local authority or other organisations (internal and external clients; customers; disadvantaged children or those with additional special needs; users of services provided by the jobholder). They exclude immediate work colleagues, because changes in personnel could otherwise result in changes to the evaluation.

3. **Verbal Abuse** experienced by the jobholder, whatever the source, is **not** measured under this factor heading, but is treated as a form of people-related unpleasant condition under the Working Conditions factor heading.

4. **Level of Emotional Demand:**

Exposure to an emotional demand where the jobholder is required to deal with distressing, disturbing subject matter, for example, attending minuting and typing notes from child protection case conferences and associated telephone contact should be assessed under this factor.

Significant and intense emotional demands at levels 3, 4 and 5 should be assessed only where the demand forms an expected part of the job role and the jobholder has direct responsibility to deal with those imposing the demands***.***

Significant emotional demands include those arising from dealing with those who are frail or have physical or mental impairments, or are seriously disadvantaged through homelessness.

Intense emotional demands include those arising from dealing with terminally ill clients, cases of child abuse or where the necessary actions of the jobholder may cause genuine distress to, or be in conflict with the wishes of, the client (for example, transfer from own home to residential care, removal of child to foster care).

5. **Frequency of Emotional Demand:**

Where emotional demands occur rarely (e.g. less than twice a year) level 1 would normally apply. However, if a jobholder experiences significant or intense emotional demands rarely, level 2 may be appropriate.

Occasional - taking place from time to time, not frequent or regular and/or for a short period of time;

Regularly - in the dictionary sense of repeated within the normal cycle of activity and occurring at least once a week, on average

In considering frequency jobs undertaken on a part-time basis should be treated as though they were full-time.

THE RESPONSIBILITY FACTORS - GENERAL GUIDANCE

1. The scheme distinguishes 4 types of responsibility:

   - Responsibility for People;
   - Responsibility for Supervision/Direction and Co-ordination of Employees;
   - Responsibility for Financial Resources;
   - Responsibility for Physical Resources

   to ensure that the diverse responsibilities of the wide range of local authority jobs are considered.

   A job may have any combination, and to any extent, of direct responsibilities, and each should be considered separately. For example, management of a residential care home includes responsibility for the health and well-being of the residents (Responsibility for People), direction and co-ordination of staff (Responsibility for Supervision), and potentially also budgetary responsibility (Responsibility for Financial Resources) and responsibility for residents' records (Responsibility for Physical Resources).

   All jobs should score above level 1 on at least one Responsibility factor to reflect the fact that all jobs have at least one type of Responsibility. Different forms of the same type of responsibility are measured under one factor only, with the job being awarded the level commensurate with the most demanding form of this particular type of responsibility

2. **Contributions to a Shared/Joint Responsibility.** Each job should be assessed according to its actual contribution to an overall responsibility, as different people, departments or committees may have a direct responsibility. For example, an accountant in Financial Services may directly contribute to the setting and monitoring of the budget and longer term financial planning of a nursing home's maintenance programme (Responsibility for Financial Resources, whilst the home's manager has budgetary control responsibility for the programme (Responsibility for Financial Resources), which is managed by a maintenance manager (Responsibility for Physical Resources).

   The same principles apply in client contractor situations.

   The actual responsibility of a jobholder who shares, or contributes to, the **same** responsibility as others should be assessed. For example, there is no dilution of responsibility where a jobholder is responsible for the careful use of a piece of equipment for the whole shift, even when other jobholders have responsibility for the same equipment on other shifts.

   On the other hand, there is considerable dilution of responsibility for a piece of equipment, which is shared by a team of employees on the same shift, but which the jobholder uses only occasionally.

   Sharing of responsibility is normally with other employees, but could equally be with others (for example, with clients, for pensions, when collected by the

jobholder; or residents, for security of residential premises). The nature and degree of the jobholder's responsibility for resources is more important in assessing demand than who owns them.

3. **Direct Responsibilities and Impact.** The following examples illustrate circumstances where the Responsibility factors are concerned with the **direct** impact of the job. An accounts job in a charity has a direct Responsibility for Financial Resources, but no Responsibility for People. A job involving home visits to the charity's clients has a direct Responsibility for People, but possibly no Responsibility for Financial Resources. The job of the charity's shopworker involves some Responsibility for People (those who visit the shop) and some Responsibility for Financial Resources (the shop receipts).

   The **impact** of a failure to carry out the responsibilities properly (for instance, delays, inconvenience or discomfort to others, financial loss, lower quality service) may be a useful indicator of the level of responsibility.

4. **Other Responsibilities.** The Responsibility factors also take account of any responsibility the jobholder may have through the provision of advice and guidance on policies and procedures, research or the adaptation or development of existing or new policies and procedures. An assessment tool has been developed to help ensure that advisory, policy and similar ‘hands off’ responsibilities, such as research or democratic services, are correctly measured and allocated to the appropriate Responsibility factor. It is recommended that jobs are first evaluated on their ‘hands on’ responsibilities under each Responsibility factor and that an assessment is then made of the level of advisory/policy responsibilities and the factor to which it should be allocated.

RESPONSIBILITY FOR PEOPLE – WELL-BEING

This factor measures the responsibility of the jobholder for individual, or groups of, people (members of the public, service users and recipients, clients), other than employees supervised or managed by the jobholder.

The emphasis of the factor is on the nature and extent of the direct impact on the well-being of individuals or groups.

The factor covers responsibilities, including any confidentiality requirements, for the physical, mental, social, economic and environmental well-being of people, including their health and safety.

These responsibilities could be exercised through, for example, providing personal services, advice and guidance, or other forms of assistance; implementing or enforcing regulations; or developing and implementing services.

Level 1: The job involves limited, or no, direct impact on the well-being of individual, or groups of, people. The work may require common courtesy or consideration where encountering members of the public incidentally in the course of normal duties.

Level 2: The job involves some direct impact on the well-being of individual, or groups of, people, through undertaking tasks or duties which are to their direct benefit, or impact directly on their health and safety

Level 3: The job involves considerable direct impact on the well-being of individual, or groups of, people, through either:

(a) an assessment of needs and implementation of appropriate care or welfare for those who are reliant on the jobholder for their basic needs or

(b) implementing regulations which have a direct impact on the health, safety or well-being of people.

Level 4: The job involves high direct impact on the well-being of individual, or groups of, people, through either:

(a) an assessment of the needs and implementation of appropriate programmes of care or welfare for those who are reliant on the jobholder: or:

(b) enforcing regulations which have a high direct impact on the health, safety or well-being of people.

Level 5: The job involves a major direct impact on the well-being of individual, or groups of, people, who are reliant on the jobholder; and involves assessment of their complex needs and arranging for the delivery of appropriate programmes of care or welfare. The jobholder has

responsibility for taking decisions which may affect the future well-being and circumstances of individual clients

Level 6: The job involves a very major direct impact on the well-being of substantial numbers of people, who are reliant on Council services for their care or welfare; and involves assessment of the needs of the relevant group of people and determining how appropriate programmes of care or welfare should be delivered. The jobholder has responsibility for taking decisions which will affect the future well-being of individual, and groups of, clients

RESPONSIBILITY FOR PEOPLE –WELL BEING - GUIDANCE

1. **People:** in this context are the recipients of services provided by the local authority, or the **direct** beneficiaries of its activities. They can be of any age, for example:-

   - residents of local authority homes;
   - clients of, for example, social workers and home carers;
   - pupils of schools in the local authority's area;
   - users of libraries and leisure facilities;
   - recipients of local authority services, including public health services;
   - those who benefit from local authority inspection and registration activities;
   - users of cafes, restaurants and other businesses, who benefit from local authority inspection and enforcement activities.

   Those who are "beneficiaries" or recipients will not necessarily be happy with the relevant activities, for example, abused children removed from their families, restaurant owners being inspected for compliance with hygiene regulations.

2. **'Well-being', care and welfare** should be understood in a very broad sense. They include physical, mental, social, educational or developmental well-being, care and welfare, and public health.

3. **Equivalent Client or Customer Relationship:** this factor generally measures responsibilities which have a direct impact on people **other than** Council employees. However, some jobs with responsibilities for other groups of people, who are not defined above, nor employees supervised by the jobholder, should also be assessed.
   Those in an equivalent client or customer relationship include other employees of the local authority (for example, customers of internal staff catering facilities, or clients of HR/ personnel, training, workforce development, equalities or welfare officers); or the employees or volunteers of a voluntary organisation, to whom the jobholder is providing a direct service (but supervisory or co-ordinating responsibilities should be measured under the Responsibility for Supervision etc. factor).

4. **Reliance:** (at levels 3a, 4a, 5 and 6) means that the people concerned are personally dependent on the provision of service, assessment of needs or decisions made by the jobholder. The reliance may be short term and for the period when the jobholder is working with the person or people in question, for example, in home or residential care, in schools.

5. **Assessment:** the automatic or mechanical process of delivering or processing the requirements of people (for example, the taking of details of income and circumstances) is not sufficient for a job to be scored at level 3 or above, unless the deliverer or processor also makes an initial assessment of needs. At level 3 the assessment can be, for example, whether or how to carry out a prescribed programme of care in the light of the condition of the client on a particular day, whether to adapt a prescribed teaching activity or programme to suit the abilities of a particular group of pupils. At level 4 and above, assessment of needs is normally a formal process and involves determining a prescribed programme of, for example, care or educational activities, some or all of which may be implemented by others

6. **Impact:** direct impact on people does not necessarily require direct contact, for example, environmental health, trading standards and similar officers may have a direct impact on people, through the implementation or enforcement of regulations, without necessarily having direct contact with those who benefit.

7. **Implementation and Enforcement of Regulations:** (at levels 3(b) and 4(b)) refers to **Statutory** Regulations for which local authorities are the implementation or enforcement agents. For example, planning and building control, enforcement of trading standards and environmental health regulations.

   For level 4(b), the job must involve formal responsibility for initiating prosecution against those failing to comply with the relevant Statutory Regulations.

   The implementation and enforcement of **Health and Safety Regulations** should only be taken into account under levels 3(b) and 4(b) where the job responsibilities actually involve implementation and enforcement of those regulations on behalf of the local authority as the statutory enforcement agency. The general health and safety responsibilities of all employees should not be taken into account under this factor but account should be taken of specific job responsibilities for the health and safety of other employees, for example those of a Safety Officer or Occupational Health Nurse.

   The responsibilities of health and safety reps. are not normally part of the duties of the job: they generally attach to the individual and should not be assessed.

RESPONSIBILITY FOR SUPERVISION / DIRECTION / CO-ORDINATION OF EMPLOYEES

This factor measures the direct responsibility of the jobholder for the supervision, co-ordination or management of employees, or others in an equivalent position.

It includes work planning and allocation; checking and evaluating the work of others; and training, development and guidance. It also includes responsibility for personnel functions for those for whom the jobholder has a formal supervisory responsibility, such as recruitment, discipline, appraisal; and planning, organising and long term development of human resources.

The emphasis of the factor is on the nature of the responsibility, rather than the precise numbers of employees supervised, co-ordinated or managed. It takes into account the extent to which other employees contribute to the overall responsibility.

Level 1: The job involves limited, or no, direct responsibility for the supervision, direction or co-ordination of other employees. The work may involve demonstration of own duties, or advice and guidance, to new employees, or others.

Level 2: The job involves some direct responsibility for the supervision, co-ordination or training of other employees. The work regularly involves advising, instructing, checking work, or training other employees.

Level 3: The job involves considerable direct responsibility for the supervision, direction, co-ordination or training/development of other employees. The work involves the allocation of work to a small group or team, checking of work, and the direction of staff, including, where appropriate, on-the job training.

Level 4: The job involves high direct responsibility for the supervision or management, direction, co-ordination or training/development of other employees. The work involves supervising, directing and co-ordinating the work of a group of staff covering more than one area of activity or in more than one workplace, including allocation of work, and evaluation and appraisal of the work carried out.

Level 5: The job involves a major direct responsibility for the management, direction, coordination and development of significant numbers of other employees, covering several different areas of activity or in several geographically dispersed workplaces. The work involves the organisation, allocation and re-allocation, as appropriate, of areas of work and the evaluation of activities and working methods.

Level 6: The job involves a very major direct responsibility for the management, direction, co-ordination and development of substantial numbers of other employees, covering many different areas of activity or in many geographically dispersed workplaces. The work involves overall responsibility for the organisation, allocation and re-allocation, as

appropriate, of areas of work and the evaluation of activities and working methods.

RESPONSIBILITY FOR THE SUPERVISION / DIRECTION / CO-ORDINATION OF OTHER EMPLOYEES – GUIDANCE

1. **Scope of Factor:** consideration should be given to **all aspects** of the definition, not just to the size of the group supervised. The aim is to find the level definition which **best fits** the job.

   There are deliberately no indications of the **size of groups**: numbers may vary with the circumstances of the job. Size of local authority is **not** relevant.

2. **Co-ordination and Management:** where a jobholder co-ordinates or manages the work of staff through others' direct supervision, account should be taken of the actual contribution to the overall directing and co-ordinating responsibility for all those concerned.

3. **Areas of activity:** (at levels 4 to 6) include cooking, gardening, housing benefits, highways inspection, recruitment and selection, payroll. Closely associated support activities (for example, clerical, secretarial) should be treated as part of the same area of activity.

4. **Others in an Equivalent Situation:** account should be taken of all employees or others who are supervised, managed, or co-ordinated including:

   - contractors' or suppliers' employees;
   - volunteers and the employees/workers of voluntary organisations;
   - work experience students or trainees;
   - students on placement for practical experience;
   - others in a similar situation

   where they are a direct responsibility of the job.

RESPONSIBILITY FOR FINANCIAL RESOURCES

This factor measures the direct responsibility of the jobholder for financial resources, including cash, vouchers, cheques, debits and credits, invoices, budgets and income.

It takes into account the nature of the responsibility, for example, correctness and accuracy; safekeeping, confidentiality and security; deployment and degree of direct control; budgetary and business planning responsibilities; planning, organising and long term development of the financial resources.

It also takes into account the degree to which other employees contribute to the overall responsibility, the frequency with which the responsibility is exercised and the value of the financial resources.

Level 1: The job involves limited, or no, direct responsibility for financial resources. The work may involve occasionally handling small amounts of cash, processing cheques, invoices or equivalent.

Level 2: The job involves some direct responsibility for financial resources. The work regularly involves either:

(a) handling of cash, or processing of cheques, invoices or equivalent

or

(b) accounting for considerable sums of money, where care and accuracy are important: or:

(c) being accountable for small expenditures from an agreed budget or equivalent income.

Level 3: The job involves considerable direct responsibility for financial resources. The work involves either:

(a) accounting for large sums of money, in the form of cash, cheques, direct debits, invoices, or equivalent, where care, accuracy and security are important or:

(b) being accountable for considerable expenditures from an agreed budget or equivalent income. The responsibility may include contributing to the setting and monitoring of the relevant budget and ensuring effective spend of budgeted sums.

Level 4: The job involves high direct responsibility for financial resources. The work involves either:

(a) accounting for very large sums of money, in the form of cash, cheques, direct debits, invoices, or equivalent, where care, accuracy and security are important

or:

(b) being accountable for large expenditures from an agreed budget or equivalent income. The responsibility may include contributing to the setting and monitoring of the relevant budget and ensuring effective spend of budgeted sums.

Level 5: The job involves a major direct responsibility for financial resources. The work involves being accountable for very large expenditures from an agreed budget or equivalent income. The responsibility includes contributing to the setting and monitoring of the relevant budget(s) and ensuring effective spend of budgeted sums.

Level 6: The job involves a very major direct responsibility for financial resources. The work involves being accountable for extremely large expenditures from an agreed budget or equivalent income. The responsibility includes contributing to the setting and monitoring of the relevant budget(s), long-term financial planning and changing the nature, level and composition of expenditure to meet service or other requirements.

RESPONSIBILITY FOR FINANCIAL RESOURCES - GUIDANCE

1. **Monetary Values:** the job should be evaluated according to the **nature and extent** of the responsibility, rather than to the exact monetary value.

   Values should be interpreted in relation to the financial size of the organisation. It may be helpful, at the outset of the exercise, to consider levels of relevant expenditures in order to identify these which should be assessed as "extremely large", and to develop an appropriate scale.

2. **Accounting for** - give reckoning of; explain; monitor; audit; authorise payment of invoices from committed expenditures - covers receipts as well as expenditures.

   Accountable for - bound to give account for; commit expenditure.

   Handling/processing - must be an active responsibility, for example, checking invoices and cheques, or electronic payments, against other documentation to identify errors; but excluding the mechanical printing of cheques, without any checking process (the responsibility for printing equipment and materials should be considered under Responsibility for Physical Resources).

3. **Equivalent Levels of Responsibility:** it is impossible to specify all forms of financial responsibility, as many jobs in many departments may contribute to the overall accounting or accountability responsibility, for example, finance officers in corporate finance, departmental finance officers, financial policy advisory or development roles at either functional or organisational level,

service budget holders, cashiers, invoice checkers etc. In determining equivalences, it is important to look at the nature of the responsibility, the frequency with which it is exercised, the scale of the responsibility and so on of each job.

Occasional authorisation of small expenditures from a small budget may be equivalent to level 1, on account of the frequency and value.

Similarly, responsibility for controlling a petty cash box, or taking care of clients' monies, may normally be level 1, but, if the sums involved are relatively large and the responsibility is exercised on a daily basis, this may be level 2 (or, exceptionally, level 3).

4. **Income Collection and Generation:** should be taken into account, for example:

- "bidding" for grants from Government, the European Commission and other grant giving bodies;
- developing financial partnership arrangements with the private sector;
- collection of Council Tax and other revenues.
- Income generation and expenditure sums should not be counted twice, but the nature of the combined responsibility should be taken into account
- Income generation should be measured according to the equivalent levels of budgetary responsibilities.

RESPONSIBILITY FOR PHYSICAL AND INFORMATION RESOURCES

This factor measures the direct responsibility of the jobholder for physical resources, including manual or computerised information; data and records; office and other equipment; tools and instruments; vehicles; plant and machinery; land, construction works, buildings and fittings and fixtures; personal possessions; and goods, produce, stocks and supplies.

It takes into account the nature of the responsibility, for example, safekeeping, confidentiality and security; deployment and degree of direct control; maintenance and repair; procurement, commissioning, ordering, purchasing and replacement authority; planning, organising and long term development of the physical resources.

It also takes into account the degree to which other employees contribute to the overall responsibility, the frequency with which the responsibility is exercised and the value of the physical resources.

Level 1: The job involves limited, or no, direct responsibility for physical resources. The work may involve limited handling or processing of information or careful use of low value equipment or care of the limited personal possessions of others.

Level 2: The job involves some direct responsibility for physical resources. The work regularly involves either:

(a) handling and processing of manual or computerised information, where care, accuracy, confidentiality and security are important or:
(b) careful use of expensive equipment or
(c) cleaning of buildings, external locations or equivalent or:
(d) some responsibility for security of buildings, external locations or equivalent or:
(e) day-to-day maintenance of equipment or premises: or:
(f) care of the personal possessions of others: or:
(g) ordering, or stock control of, a limited range of supplies.

Level 3: The job involves considerable direct responsibility for physical resources. The work involves either:

(a) handling and processing of considerable amounts of manual or computerised information, where care, accuracy, confidentiality and security are important or:
(b) cleaning, maintenance and repair of a range of equipment, buildings, external locations or equivalent or
(c) regular careful use of very expensive equipment or:
(d) security of buildings, external locations or equivalent or:
(e) ordering, or stock control of, a range of equipment and supplies.

Level 4: The job involves high direct responsibility for physical resources. The work involves either:

(a) adaptation, development or design of significant information systems or
(c) adaptation, development or design of a wide range of equipment, land, buildings, other construction works or equivalent

or:

(c) security of a range of high value physical resources or:
(d) ordering of a wide range of equipment and supplies or:
(e) making a significant contribution to the adaptation, design or development of either large-scale information systems for use by others, or of a range of equipment, land, buildings, other construction works or equivalent.

Level 5: The job involves a major direct responsibility for physical resources. The work involves either:

(a) adaptation, development or design of large-scale information systems for use by others or:
(b) adaptation, development or design of a wide and high value range of equipment, land, buildings, other construction works or equivalent or
(c) security of a wide and very high value range of physical resources or:
d) ordering of a wide and high value range of equipment and supplies.

Level 6: The job involves a very major direct responsibility for physical resources. The work involves overall responsibility for the procurement and deployment of substantial physical resources. The responsibility includes long-term planning of the procurement and deployment of physical resources and changing the source, nature, level and composition of such resources to meet service or other requirements.

RESPONSIBILITY FOR PHYSICAL RESOURCES - GUIDANCE

1. The job should be evaluated according to the highest level of Responsibility for Physical Resources. For example, a job involving regular use of very expensive equipment and care of the personal possessions of clients should be assessed at level 3, in line with the first of these features.

2. **Amounts of Information:** "considerable amounts" of information (at level 3) include:-

- processing electoral register data;
- processing benefit contribution forms or records.Level 3a may also be appropriate for jobs responsible for the updating and maintenance of significant information systems for use by others

including those who develop database or spreadsheet resources primarily for use within their own service or section.

3. **Expensive Equipment:** "very expensive" items of equipment (at level 3) include:-

- heavy plant;
- a refuse lorry or similarly adapted large vehicle;
- a mainframe computer system, where the jobholder has active responsibility for its operation;
- dedicated in-house printing system or operation.

"Expensive" items of equipment (at level 2) include:-

- a car, used only for local authority purposes;
- a minibus or transit van, used for transporting passengers or goods.

A computer terminal or PC is basic equipment (level 1), because the active responsibility for its careful use is very limited and confined normally to the jobholder.

4. **Security:** examples of "some responsibility" for security (level 2) are:-

- keyholder responsibility for part or all of a building, external location or construction site;
- responsibility for opening or closing (with keys) one or more buildings;
- responsibility for checking windows, switching on alarm systems or similar, where there is no caretaker.

Examples of level 3 security responsibilities include acting as security guard or attendant, where this is a major job feature.

5. Day to day maintenance of a range of equipment and premises **(level 2) includes disassembly for cleaning and reassembly of, for example, kitchen equipment, such as slicing, chopping, chipping, mixing and processing machines.**

6. **Ordering of a range of supplies** (levels 4d, 5d) includes procurement and/or commissioning of services where this is a significant and regularly exercised job responsibility. The distinction between level 4d and 5d depends on the range and value of the services procured and/or commissioned.

Procurement at level 6 includes commissioning of services.

ASSESSMENT TOOL: ADVISORY, POLICY AND EQUIVALENT RESPONSIBILITIES

This is NOT a separate factor or a change to the NJC JES, but an aid to ensuring that advisory, policy and similar responsibilities are correctly assessed and allocated to the appropriate Responsibility factor.

It relates to advisory, research, policy development or implementation and equivalent 'hands off' responsibilities which are a specific feature of the role and likely to be identified in the job description list of main or key duties. A number of examples are included in the guidance and should be read to understand how the assessment tool applies to different types of jobs.

Advisory responsibilities may relate to other employees in own or other work areas (internal) or to clients or members of the public (external). Advice in this context must be more than information; it must influence the actions of those to whom it is given.

Policy responsibilities may arise from internal decisions, or external factors, for example, changes in legislation or regulations.

In order to ensure that any such responsibilities are correctly assessed and allocated to the appropriate factor, it is recommended that jobs should be evaluated first on their 'hands on' responsibilities and then considered in relation to this assessment tool. The steps in using the tool are:

(1) Assess the appropriate level of demand, from 1 to 6;
(2) Identify the single most appropriate Responsibility factor;
(3) Determine whether the level awarded for advisory/policy responsibilities changes the previously evaluated level for the 'hands on' responsibilities for the identified factor.

Level 1: The job involves working in accordance with policies developed by others. The jobholder may be asked to comment on particular aspects of existing or proposed policies but is not actively involved in their development or implementation. The jobholder may occasionally provide information to colleagues, clients or members of the public as an integral part of the job responsibilities.

Level 2: The job involves providing information, advice and guidance on established internal procedures as an integral part of the job responsibilities.

Level 3: The job involves providing advice and guidance on the operation of established internal policy and procedures. This involves some interpretation of policy and procedures to meet specific circumstances or problems.

Level 4 The job involves:

(a) providing interpretation, advice and guidance on the operation and implementation of external regulations and statutory requirements. This includes adaptation of internal policies and procedures to meet operational demands.

(b) a shared responsibility for the development of policies and procedures in relation to a service area; the development of such policies should be seen to have a significant impact on the operation of the service.

Level 5: The job carries a major responsibility for the development of policies and procedures in relation to a service area. The development of such policies should be seen to have a significant impact on the operation of the service.

Level 6: The job carries a very major responsibility for the development of policies in relation to one or more service areas and which can be seen to have a major impact on the operation of, or strategy across, services.

Research Responsibilities: Provision of advice and guidance in relation to policy, which is based on formal research methodologies and techniques, should be assessed at minimum level 4.

Examples of application of assessment tool:

(a) HR administrator in recruitment section: Job evaluated at level 2 under the Responsibility for People-Well-Being factor for process job applications, including arranging job interviews, that is, providing a service to prospective employees.

Assessed on the Advisory and Policy Responsibility tool at level 2 for providing information and general advice on internal procedures for job applications. The most appropriate factor for the advisory responsibilities is Responsibility for People-Well-Being. So, taking into account both 'hands on' and 'hands off' responsibilities, the evaluation is level 2.

(b) Democratic services officer: Job evaluated at level 2 or 3 for Responsibility for Physical and Information Resources for maintaining records; and at level 1 on Responsibility for People – Well-Being.

Assessed on the Advisory and Policy Responsibility tool at level 3 for providing interpretative advice and guidance to elected members in respect of Council policy and procedures. The most appropriate factor for these advisory responsibilities is responsibility for People Well-Being, so the final evaluation for this factor is level 3.

(c) Solicitor required to provide legal advice to service areas and staff in relation to the welfare of children (for example, looked-after-children, those on the at-risk register). Job evaluated at level 2 under the Responsibility for People-

Well-Being factor for provision of a service to the benefit of people (children and families).

Assessed on the Advisory and Policy Responsibility tool at level 4(a) for providing advice on external regulations and statutory requirements. The most appropriate factor for the advisory responsibilities is Responsibility for People-Well-Being, so the final evaluation for that factor is level 4 on account of the formal advisory responsibilities.

(d) Accountant required to maintain the accounts, assist with budget setting for a number of service areas, including children's services, and to provide advice to finance staff on external financial regulations and statutory requirements. Job evaluated at level 4(a) on the Responsibility for Financial Resources factor for accounting responsibilities.

Assessed at level 4(a) for providing advice on external regulations and statutory requirements. The most appropriate factor for the advisory responsibilities is Responsibility for Financial Resources, so the final evaluation for that factor is 4, on both counts Note that the advice is in relation to financial regulations and statutory requirements so it makes no difference whether the service areas covered are children's services or highways.

(e) Senior HR Manager required to manage recruitment and payroll services, including developing and implementing internal policies for these service areas, and to manage the teams of staff working in these service areas. Job initially evaluated at level 5 on Responsibility for People – Well-Being for 'hands on' recruitment and payroll responsibilities; and at level 4 on the Responsibility for Supervision etc for management of teams in more than one service area.
Job assessed at level 6 for policy responsibilities on account of impact of recruitment and payroll policies across all employees. The most appropriate factor for the policy responsibilities is Responsibility for People-Well-Being, so the final evaluation for that factor is level 6 on account of the formal policy responsibilities. Note that the Responsibility for Supervision evaluation is unaffected by the policy responsibility assessment and remains at level 4.

(f) Policy officer responsible for the development and implementation of policies in relation to all aspects of housing. 'Hands on' responsibilities for implementation of policy would be measured, probably at a relatively low level, - either under Responsibility for People – Well-being or Responsibility for Physical Resources, depending on whether the policies relate to housing services or stock. The policy development responsibilities would be assessed at level 5 and should then be allocated to the same Responsibility factor, as they are an integral part of the same overall responsibility. So, taking into account both hands on and hands off responsibilities the final evaluation is level 5 under the selected factor.

School Business Manager responsible for all non-teaching functions in a school. 'Hands on' responsibilities for management of support staff and finance assessed at level 4 or 5 on Responsibility for Supervision and level 4

or 5 on Responsibility for Financial Resources, depending on the actual job demands. Job initially evaluated at level 1 on Responsibility for People – Well-Being because incidental contact only with pupils. However, when taking into account policy development responsibilities in relation to, for example, health and safety of pupils and staff, HR, marketing, the job is evaluated at level 4 or 5. The policy development responsibilities are most appropriately allocated to the Responsibility for People – Well-Being factor, so the final evaluation on this factor is level to 4 or 5, with the other factor evaluations remaining as they were.

In all but a few very exceptional situations advisory/policy responsibilities will relate to only one of the four Responsibility factors even though there may be a "knock-on" impact under another factor.

For example:

Where the policy development, advisory or research responsibilities of jobs are **mainly** focused on policies which relate to the physical, mental, social, economic or environmental "well-being" of people (**within**, as well as external to, the Authority), they should be assessed under the Responsibility for People factor.

Where such responsibilities are mainly focused on provision of HR advice or the organisation's HR policies, they should be regarded as relating to the well-being of employees as people and be recognised under the Responsibility for People factor. (see Responsibility for People guidance notes on definition of equivalent relationships and example above).

If the **main** focus is on the financial policies and/or financial well-being of the Authority, then this should be taken into account under the Responsibility for Financial Resources factor.

Finally, if the **main** focus is on the Authority's policies in relation to any form of physical resource, including information, this should be assessed under the Responsibility for Physical Resources factor.

Remember that in relation to responsibilities for policy development, research, advice and guidance, it is only the **primary** focus that should be considered eg. a financial policy that constrains highway development should be considered under Responsibility for Financial Resources; while a highways policy that has financial implications should be considered under Responsibility for Physical Resources.

However, where a job genuinely has more than one main policy, advice or research focus, then it should be assessed under each relevant factor - in the same way as direct hands-on responsibilities are assessed under each relevant Responsibility factor. But, as with direct hands-on responsibility jobs, care should be taken to avoid double-counting the same form of policy development, advice or research under more than one heading.

WORKING CONDITIONS

This factor measures exposure to disagreeable, unpleasant, uncomfortable or hazardous working conditions arising from the environment or from work with people.

It covers the frequency, duration and nature of conditions, such as dust, dirt, temperature extremes and variations, humidity, noise, vibration, fumes and smells, human or animal waste steam, smoke, grease or oil, inclement weather, lack of privacy or isolation, and the risk of illness or injury arising from exposure to diseases, toxic substances, machinery or work locations. It also covers abuse, aggression and risk of injury from people.

The factor measures those aspects of the working environment which are unavoidable and integral to the job. Health and safety regulations and requirements are assumed to be met, but the requirement to wear protective clothing may create disagreeable or uncomfortable conditions.

The emphasis of this factor is on the degree of unpleasantness or discomfort caused. This takes into account the frequency, intensity and duration of exposure to particular conditions; and the additional effect of variations or combinations of conditions.

Level 1: The job involves minimal exposure to disagreeable, unpleasant or hazardous:

- environmental working conditions: or:
- people related behaviour.

Level 2: The job involves some exposure to disagreeable, unpleasant or hazardous:

- environmental working conditions: or:
- people related behaviour.

Level 3: The job involves considerable exposure to disagreeable, unpleasant or hazardous:

- environmental working conditions: or:
- people related behaviour.

Level 4: The job involves high exposure to disagreeable, unpleasant or hazardous:

- environmental working conditions: or
- people related behaviour

Level 5: The job involves very high exposure to disagreeable, unpleasant or hazardous:

- environmental working conditions: or
- people related behaviour

WORKING CONDITIONS - GUIDANCE

1. **Scope of Factor:** covers all **people related behaviour**, including any form of verbal abuse and aggression from people other than immediate work colleagues; and **environmental working conditions**, including the risk of injury from people dirt, smells and noise resulting from both the physical environment and contact or work with people.

   The emphasis is on the **degree of unpleasantness or discomfort** encountered, which is affected by the frequency, intensity and duration of exposure to particular conditions.

   Disagreeable, unpleasant or hazardous situations are those which are other than 'normal office' conditions, where temperature, light, dirt, odour, noise or safety conform with H&S standards; or where people's behaviour (other than immediate colleagues) is physically abusive or aggressive.

   Very disagreeable, unpleasant or hazardous situations are those where temperature, light, dirt, odour, noise and hazards are significantly worse than 'normal office conditions' and where the jobholder does not have control over them but has to work in them, for example, working in excessive heat or cold; in freezing conditions; working with pneumatic drills; working on scaffolding; when subject to excessive threats of assault.

2. The factor has five levels, from minimal to very high. "Minimal" includes **either** occasional exposure to disagreeable conditions (environmental or people related) or more frequent exposure to marginally unpleasant conditions. "Considerable" includes regular exposure to disagreeable conditions. "High" and "very high" cover continuous (or almost continuous) disagreeable or very disagreeable conditions respectively.

   Indicative percentages are as follows:

Level	Disagreeable, unpleasant Or hazardous conditions - % of working time	VERY disagreeable, unpleasant or hazardous conditions - % of working time
1	0-10%	-
2	11-75%	0-10%
3	Over 75%	11-75%
4	-	Over 75%
5	-	-

   The levels are increased where the jobholder is required to work outdoors and is fully exposed to weather conditions, for example, being fully exposed to weather conditions and subject to very disagreeable, unpleasant or hazardous situations for more than 75% of working time gives level 5.

3. **Indoor/Outdoor Work:** outdoor work generally involves more exposure to disagreeable conditions than indoor work, but consideration must be given to all other features, for example:

   - whether or not the outdoor work can be organised to minimise exposure to cold and wet and maximise exposure to sun and warmth;
   - other unpleasant aspects e.g. fumes, smells, noise, abuse;
   - whether or not the indoor work involves exposure to heat, cold or abuse from people;
   - the extent to which the work can be organised by the jobholder to lessen the exposure to unpleasant conditions, and the level of control over the conditions.

   Where a job is split between indoor and outdoor work, the frequency of each, and any other relevant features, should be taken into account.

4. **Personal Comfort Levels:** the degree and nature of the unpleasantness, and the frequency and duration with which it is encountered should be assessed, rather than individual responses to these, which vary. For example, some people are better at withstanding cold, or prefer heat; some are better at withstanding abuse. Responses may also vary with the familiarity with the condition, for example, some people become accustomed to an odious human or environmental smell.

5. **Hazards/Risk of Injury:** are included, because it is recognised that some jobs are inherently more hazardous than others. The scheme assumes that all appropriate precautions and safeguards are taken, for example, special training, protective measures and clothing, being accompanied by another responsible person where feasible.

   The extent of hazards and risk of injury takes into account the likelihood of such incidents occurring. This may vary between similar jobs, depending on their precise nature, location and degree of isolation.

SCORING and WEIGHTING MATRIX													
Factors and Points per Level													
Level	**Knowledge and Skills**				**Effort Demands**				**Responsibilities**				**Env. Demands**
	Knowledge	Mental	Comm.	Physical	Init. & Indep.	Physical	Mental	Emotional	People	Supervision	Fin. Res.	Phys. Res.	Work Conds.
1	20	13	13	13	13	10	10	10	13	13	13	13	10
2	40	26	26	26	26	20	20	20	26	26	26	26	20
3	60	39	39	39	39	30	30	30	39	39	39	39	30
4	80	52	52	52	52	40	40	40	52	52	52	52	40
5	100	65	65	65	65	50	50	50	65	65	65	65	50
6	121	78	78	-	78	-	-	-	78	78	78	78	-
7	142	-	-	-	91	-	-	-	-	-	-	-	-
8	163	-	-	-	104	-	-	-	-	-	-	-	-
Factor%	**16.3**	**7.8**	**7.8**	**6.5**	**10.4**	**5.0**	**5.0**	**5.0**	**7.8**	**7.8**	**7.8**	**7.8**	**5.0**
Heading%		**38.4**			**10.4**		**15.0**		**31.2**				**5.0**

APPENDIX 2

Local Government Single Status Job Evaluation Scheme - Grading Appeals [*see also Technical Note 9*]

Model Procedure

1 An employee who wishes to appeal against the grading of his/her job must submit the claim in writing to management setting out the grounds for the application.

2 As a first step, the appeal should be discussed with the employee, a representative of management and her/his union representative as soon as possible. A representative of the department responsible for maintaining the JE scheme for the authority should also be present.

3 If the appeal is not settled and/or withdrawn, the first stage of the formal appeal must commence within a timescale agreed at local level.

4 The appeal will be heard by a joint panel at authority level. The panel will consist of representatives from the recognised trade unions and management and/or elected members. An independent person may be appointed to chair the panel.

5 The decision of the joint panel is final.

6 The local parties may agree to a further appeals mechanism to apply in exceptional cases where the panel fails to reach agreement. This may involve the provincial/associated council.

7 The NJC recommends that appeals should be dealt with within three months of being submitted.

8 Nothing in this procedure shall prejudice the legal rights of the employee and the employer.

APPENDIX 3

Local Government Job Evaluation Scheme - User's Manual

1 Introduction

1.1 The Local Government Job Evaluation Scheme was developed by the National Joint Council for Local Government Services. It is the only scheme that has been jointly developed with the explicit purpose of covering the full range of jobs within the scope of the National Joint Council.

1.2 All jobs within the scope of the NJC should be graded on a common basis in accordance with fairness and equal pay legislation. The evaluation process results in a points score for each of the jobs evaluated. The resulting scores should be used as the basis for the grading for all jobs.

1.3 Job evaluation gains maximum acceptance in the workplace when it is "owned" by both the employer and the employee. This scheme was developed jointly by the employers and trade unions nationally on the basis that joint partnership operates within the authority.

1.4 This manual is intended for use at local level where the scheme has been adopted and should be read in conjunction with the Scheme Guidance and Technical Notes. It is essential that all union and employer representatives involved in applying the scheme receive full and regular refresher training.

2 Equalities Issues

2.1 The scheme is designed to be free from gender bias and discrimination on the grounds of gender and other characteristics protected under the Equality Act 2010. However, care needs to be taken in relation to implementation. The following implementation issues may give rise to discrimination:

- how information is gathered from jobholders for evaluation
- the selection of jobs for evaluation
- the make-up of evaluation and appeals panels
- access to and conduct of appeals
- preconceptions about the status and worth of individual jobs
- the relationship between evaluation scores and grading/rates of pay, for example, the positioning of grade boundaries.

2.2 Employer and union representatives should be aware at the outset that avoiding gender bias in evaluating jobs will mean that existing relativities are challenged and may be altered.

2.3 Equality training is essential for all union and employer representatives who are involved in job evaluation, particularly for those interviewing job holders and/or gathering information about job content, and for evaluation panel and appeal panel members. Specialist trainers need to be knowledgeable about the scheme as well as equality and equal pay issues. The use of equal

opportunities specialists at other points in the process may also be considered.

2.4 Information about the scheme and its operation may need to be provided in a range of formats to take account of employees with disabilities and for employees for whom English is not their first language.

2.5 Communications from the authority and the unions need to reach all those covered by the review. This will include those employees absent on maternity, paternity or family leave (and other approved long term leave including sick-leave); part-time employees, job-sharers and other atypical workers, those working non-standard hours and employees who work away from main buildings or do not have access to electronic communications.

2.6 Access to the appeals procedure must be open to all employees.

2.7 The results of evaluations and appeals should be jointly monitored over a period of time on a regular basis ideally annually as part of equal pay auditing to ensure that scoring, grading and pay outcomes remain free from gender bias and bias in relation to other protected characteristics.

3 The Steering Group

Responsibility for the scheme implementation should be given to a joint steering group. For detailed guidance see Part 4.9, Pay and Grading reviews, para. 2.30.

4 Selecting Jobs To Evaluate

4.1 Every job (but not necessarily every jobholder) in the authority should be subject to an analytical evaluation process (either individual evaluation or matching against an evaluated profile).

The steering group should agree to identify a number of benchmark jobs to evaluate first. Benchmark jobs are selected to be representative of particular levels and types of jobs and can be used as a reference point against which other jobs may be assessed. It is therefore important that they are evaluated consistently across the authority.

4.2 Great care must be taken to ensure that the selection of benchmark jobs is representative of the workforce as a whole and that gender, race and other forms of bias are avoided in the selection and evaluation process. This first tranche of jobs should be representative of the spread of jobs in the authority and should cover the main occupational groups, as well as other jobs with unique features. The jobs selected should reflect a gender balance and a mix of part-time/full-time jobs [More detail on benchmark jobs is given in **Technical Note 3**].

5. Gathering Job Information: Using The Job Description Questionnaire

Collecting accurate job description information is a crucial part of the job evaluation process. A standard job description questionnaire has been drawn up to be used as an integral part of the scheme. All authorities implementing the scheme are strongly recommended to use a job description questionnaire (JDQ). [More on collecting information for job evaluation in **Technical Note 11**].

6. Panels

6.1 Evaluation and moderation/ consistency checking panels should:

- comprise equal numbers of union and employer representatives.
- should reflect the diversity of the local workforce with particular regard to gender, ethnicity and range of job groups covered by the scheme, as far as is practicable
- be a workable size (for example, 3-5 people)

6.2 The chair may be appointed from within the panel. Or the chair may rotate on an agreed basis. Alternatively, the steering group may agree to appoint an independent chair (or chairs).

6.3 Before panels sit, all panel members (including independent chairs) should receive training about the scheme and should be well informed about the provisions of the national agreement, and associated NJC guidance on equal opportunities and equal pay and grading.

6.4 Panels should agree a quorum and both sides should make arrangements for named (and trained) substitutes. Every effort should be made to ensure consistent membership on panels, especially on the moderation/ consistency panel. Regular attendance at panel meetings is important and there should be management commitment to ensure this.

6.5 Efficient administrative arrangements should be made for the work of panels. It is particularly important that consistent, clear records are kept, especially in relation to scoring jobs and appeals decisions and including the reasons for individual factor evaluations.

7. Evaluating Jobs

7.1 Consistency and objectivity are essential attributes in evaluation. The following list represents the most common do's and don'ts for evaluators. They should:

- not make assumptions about the nature or scope of others' jobs. This can lead to underestimation or overestimation of the value of different jobs.
- ensure that any important job demands are not omitted.
- ensure that there is no double counting of job demands.

- be wary of the “halo effect”, that is an unconscious assumption that a job holder should score highly on all factors, because the job holder has scored well on the first factor(s).
- be wary of the “reverse halo effect”, that is an unconscious assumption that a job holder should not score well on all factors, because the job holder has not scored well on the first factor(s).
- be aware that jobs that are known to have high status will not necessarily score highly on all factors. Similarly jobs which have low status will not necessarily score poorly on all factors.
- not allow prior knowledge about present pay or the status of job holders to influence rating decisions.

7.2 The following points represent good practice which may be helpful to evaluation panels:

everyone on the panel should have an opportunity to read the job information before any formal discussion takes place [see **Technical Note 11**].

- The outcomes of the panels should be monitored by a moderation/consistency panel for the purposes of ensuring consistency and to avoid gender bias
- evaluation on the basis of job content, rather than job title or historic grading or pay.
- apply local conventions for interpreting key words and parameters in the factor plan or questions in Gauge™ to ensure standard interpretation and to reflect local circumstances [see **Technical Note 1**] panels should aim to operate on a basis of consensus and to record their decisions and the reasons for them

7.3 Where a reasonable adjustment is made to a job under the provisions of the Equality Act 2010, evaluation should generally follow the principle of evaluating the job, not the job holder. For example, where a reasonable adjustment involves the disabled job holder using technology that the post would not otherwise require or the re-allocation of **minor** or subsidiary duties to another employee, these modifications should not affect the evaluation of the post. Where, however, **major** adjustments are made to the duties of a post, beyond what might be deemed “reasonable”, in order to enable a disabled person to take or stay in the job, and which substantially alter the job, the job should be re-evaluated as a “changed” job. Guidance and examples of “reasonable adjustment” are provided in the “Code of Practice for the elimination of discrimination in the field of employment against disabled persons or persons who have had a disability”.

7.4 Wherever possible, panels should reach a consensus on the evaluation of individual jobs and every effort should be made to do so. In the event of strong disagreement, it often helps to put that job aside and return to it after a number of (possibly similar) jobs have been evaluated. Panels’ decisions (and the reason for them) must be recorded giving scores by factor as well as the total scores for each job.

8 Re-evaluation and Appeals

Appeals against grading will be dealt with using the scheme. It is important to the maintenance of the integrity of the scheme that no other process is used. [See Part 4.3, Guidance on Appeals and **Technical Note 9**]

9 Further Information: Contact Organisations

East of England
West Suffolk House
Western Way
Bury St Edmunds
Suffolk IP33 3YU
www.eelga.gov.uk

East Midlands Councils
Phoenix House
Nottingham Road
Melton Mowbray
Leicestershire LE13 0UL
http://www.emcouncils.gov.uk/

Equality and Human Rights Commission
Arndale House,
The Arndale Centre,
Manchester M4 3AQ
http://www.equalityhumanrights.com/

GMB
Euston Office
22 Stephenson Way
London NW1 2HD
http://www.gmb.org.uk/

Local Government Association
Local Government House
Smith Square
London SW1P 3HZ
http://www.local.gov.uk/workforce

Local Government Yorkshire & Humber
The Orangery
Back Lane
Wakefield WF1 2TG
http://www.lgyh.gov.uk/

London Councils
59½ Southwark Street
London SE1 0AL
http://www.londoncouncils.gov.uk

Northern Ireland Local Government Association
Bradford Court
Upper Galwally
Castlereagh
BT8 6RB
http://www.nilga.org/

Northern Ireland Public Services Alliance
Harkin House
54 Wellington Park
Belfast BT9 6DZ
https://www.nipsa.org.uk/

North East Regional Employers Organisation
Guildhall
Quayside
Newcastle upon Tyne
Tyne & Wear NE1 3AF
http://www.nereo.gov.uk

North West Employers
6th Floor, Delphian House
Riverside
New Bailey Street
Manchester, M3 5AP
http://www.nwemployers.org.uk/

South East Employers
Newfrith House
21 Hyde Street
Winchester
Hampshire SO23 7DR
http://www.seemp.co.uk/

South West Councils
Dennett House
11 Middle Street
Taunton
Somerset, TA1 1SH
http://www.swcouncils.gov.uk

UNISON
UNISON Centre
130 Euston Road
London NW1 2AY
http://www.unison.org.uk/

UNITE
128 Theobald's Road
Holborn
London WC1X 8TN
http://www.unitetheunion.org/

Welsh Local Government Association
Local Government House
Drake Walk
Cardiff CF10 4LG
http://www.wlga.gov.uk/

West Midlands Employers
PO Box 16725
Oldbury B69 9FH
http://www.wmemployers.org.uk

Publications

National Joint Council for Local Government Services

- Equal Opportunities Guidance (see Part 4.2)
- Guidance on Equal Pay and Grading (see Part 4.4)
- National Joint Council for Local Government Services Guidance on Pay and Grading Reviews (see Part 4.9)
- National Joint Council for Local Government Services Guidance on Equal Pay Audits (see Part 4.10)
- National Joint Council for Local Government Services Guidance on Equality Impact Assessments (see Part 4.11)
- NJC Job Evaluation Technical Notes
- Equality Frameworks for Local Government

Equality and Human Rights Commission

- Equal Pay Audit Toolkit (which includes job evaluation checklists in step 2)
- EHRC Equal Pay in Practice checklists
- EHRC Equality Act 2010 Code of Practice on Equal Pay
- Public Sector Equality Duty

Arbitration and Conciliation Advisory Service

Job Evaluation: consideration and risks

APPENDIX 4

Local Government Job Evaluation Scheme-Guidance on the Computerised Version (Gauge™)

1 Introduction

1.1 The computerised version of the Local Government Job Evaluation Scheme was developed for the National Joint Council by Pilat (Europe) Limited, using Gauge™ software. PILAT provides a web-based version of Gauge™ to all new clients which can be accessed from any local authority computer provided the facilitator has access to the internet and the appropriate password. Continuing support is provided to local authorities using desk-top Gauge™.

1.2 The Gauge™ software is designed to accord with the principles of the scheme single status, joint ownership, openness and equality.

Use of the computerised version should also accord with these principles. Therefore this guidance is intended to supplement the joint advice on the scheme set out in Part 4 with some adaptations for use of the computerised version.

1.3 Use of the computerised version will enable the process of evaluation to be carried out more speedily and efficiently, whilst preserving the integrity of the scheme. In essence the computerised version embeds the “paper version” of the scheme within the Gauge™ software. The aim always was and is that Gauge™ software should give the same evaluation outcomes as the paper based version of the NJC JES. The main difference is that the Gauge™ questions have a rather different format to the original paper-based job description questionnaire.

2 Using the computerised version

2.1 As with the paper-based version of the NJC JES, it is essential that everyone who is involved with the job evaluation exercise using the Gauge™ software must have full initial and regular refresher training on the principles, factors, weightings/scoring matrix of the scheme, its operation and equalities criteria, as well on the Gauge™ software. This is particularly important in the case of steering group members, panel members evaluating benchmark sample jobs, job analysts i.e. those interviewing job holders, appeal panel members, union representatives, HR and other management staff.

2.2 Training in the use of the computerised version is also required for those who are directly involved in operating it and for management and union representatives who will have a role in its use. For its clients, Pilat (Europe) Limited trains designated staff in the use and administration of the software and provide user support.

2.3 Union representatives and management/HR staff who have already been trained in the use of the "paper version" of the scheme are a valuable resource. They can be deployed in briefing employees about the computerised version, assisting job holders in familiarising themselves with the evaluation process and acting as facilitators at interviews with job holders.

3 The Steering Group

3.1 As with the paper-based version of the NJC JES, a joint steering group is required where the computerised version is used. (The Part 4 Users' Manual recommends how this should be set up.)

3.2 The group should agree the benchmark sample of jobs to be evaluated on exactly the same basis as would apply using the "paper version" of the scheme.

3.3 The group needs to agree who has access to operating the scheme (on a password protected basis) and on what basis (e.g. who is going to be the system administrator, who will amend the help screens to incorporate locally agreed conventions, who will input answers from job holders at interviews). The system administrator is provided with a higher level of access (than job analysts) to enable help screens, local conventions to be inserted or amended, reports to be produced and new system users authorised.

3.4 The steering group should agree a protocol on access to the data deriving from the evaluation of jobs. Appropriate access needs to be agreed for union representatives and personnel staff, e.g. the rank order of point scores, print-outs of questionnaire answers (where requested), print-outs of job overviews.

3.5 The steering group will need to decide its approach to disclosure of scores to job holders within the authority. A distinction needs to be made between the rights of access to data for individual employees in respect of their own jobs and wider disclosure. For example, it is not advisable to disclose the provisional scores of the benchmark sample of jobs before completion of the whole exercise, as the local conventions applied may be amended during or after the evaluation of the benchmark sample. Likewise, the steering group would be wise to refrain from disclosing the results of evaluations within the authority until after a provisional grading structure is determined [See **Technical Note 10**].

4 Evaluating the benchmark sample

4.1 As for the paper-based version of the NJC JES, joint panels need to be set up to evaluate the benchmark sample of jobs.

4.2 Only one or two panels are required for this exercise where the computerised scheme is used.

4.3 At the outset the steering group (or the joint panel set up to evaluate the benchmark sample) needs to agree the provisional local conventions or

definitions which are required by some of the factors (e.g. financial responsibility parameters). Evaluating the benchmark sample of jobs allows the panel to test that the local conventions are right. The finally agreed conventions are then incorporated into the software (where they will appear on the relevant help screen). Testing is important as once the conventions are "fixed" after the benchmark sample exercise, they must apply unchanged throughout the evaluation process to avoid inconsistent results.

4.4 The size of the benchmark sample will vary depending on the range of jobs and the size of the authority. The benchmark sample should be representative of the spread of jobs in the authority; and that the local conventions are tested and found to be satisfactory. [Guidance on benchmarking is in **Technical Note 2**]

4.5 The evaluation of the benchmark sample of jobs should involve the concurrent use of completed "paper" Job Description Questionnaires (JDQs) and computerised evaluations. Firstly, the panel should evaluate a batch of jobs using completed "paper" JDQs. As soon as the panel is satisfied it is evaluating consistently, the same or identical batch of jobs should be evaluated using the computerised version (and the computerised questions and answers). This exercise enables the panel to test that the computerised version produces the same results locally as panel evaluations. Providing provisional local conventions have been agreed, the rest of the benchmark sample may be evaluated using only the computerised version.

4.6 The scores for jobs comprising the benchmark sample are provisional until the steering group is satisfied that the local conventions have been adequately tested and that any anomalies in scoring have been addressed. Evaluations beyond the benchmark sample should not take place until the local conventions (Help Text) have been tested and agreed, as they cannot be altered thereafter without endangering the validity of earlier evaluations.

5 Interviewing job holders (Gauge™ Interviews)

5.1 The process of interviewing job holders remains the same as for using the "paper version" of the scheme, except that the job holder's answers are recorded straight onto the computer by the interviewer/facilitator/job analyst; and the questions only allow for "closed format "answers. However it is important to assure job holders that the computerised questions and answers have been designed to capture the same information as the paper JDQ.

5.2 Prior to starting interviews with any job holders, arrangements should be made to brief all employees about the process, starting with those whose jobs are to be included in the benchmark sample. It is not necessary for job holders to have prior access to the full set of questions. Not all questions will be relevant to all job holders; and as the computerised questions are closed format, full disclosure may prejudice the results.

5.3 It has been found helpful by many user authorities for jobholders to complete a 'cut down' or simplified version of the paper job description questionnaire

before attending a Gauge interview. This gives the jobholder and the line manager the opportunity to think about the job under the factor headings of the NJC JES. It also provides a basis for the interviewer/facilitator/ job analyst to ask supplementary questions and compare answers given to Gauge questions. And it is also helpful to those moderating the Gauge outcomes. [Model questionnaire to be found in **Technical Note 11**, Job Information for Evaluation]

5.4 Facilities should be provided to interpret and/or translate the computerised questions and answers and related information into required languages as appropriate. The computerised questions and answers should also be made available in formats suitable for employees with visual impairment. The needs of disabled employees must be met throughout the evaluation process.

5.5. All interviewers/facilitators/job analysts should be trained in accordance with the joint advice set out in the Part 4 Users' Manual on the paper version of the scheme. The questions can be read from the screen either by the job holder or by the interviewer/facilitator/job analyst (and it is recommended that, for the duration of the interview, a lap top is connected to a projector so that job holders have a very clear view of the questions and answers.) Great care must be taken by the interviewer/facilitator/job analyst in explaining or rephrasing the questions to job holders (where there is scope to do so). Under no circumstances should a job holder be asked or required to complete the computerised questionnaire on their own or input the data onto the computer themselves. It is crucial that the interview with the job holder is conducted properly and that answers to questions are entered onto the computer correctly. For accuracy, they should be checked with the job holder. This is important because a ground for appeal is that the Gauge™ question trace did not provide complete information.

5.6 The software has the facility to record comments in a text box which the job holder may wish to make. The comments are then shown against the relevant question in the Job Overview (which is a 'play back' of the questions and answers put to the job holders during the interview). The comments do not affect the evaluation, but they can be valuable to justify an answer, or to note a disagreement over an answer that will need to be resolved before the evaluation overview is "signed off." The record of comments may also assist the moderation panel or the joint steering group in monitoring provisional evaluations to check for consistency.

5.7 Experience has shown that it is unwise to give the jobholder the printed-out statement of the Job Overview which the computer compiles as the interview proceeds. The Job Overview and/or Question Trace should only be given to the jobholder, following the moderation process

6 New and changed jobs

The computerised version should be used to evaluate new and changed jobs using the computerised version questions and answers, completed to reflect the anticipated demands of the job. The evaluation of a new job should then

be checked six months after appointment at an interview with the job holder, using the computerised questions and answers.

7 Equalities

It is important that all the advice on good practice set out in the Green Book on equalities and the Local Government Job Evaluation Scheme is followed for the computerised version.

PART 4.2
EQUALITY AND DIVERSITY

1. INTRODUCTION

1.1 The National Joint Council believes that it is important for public bodies such as local authorities to give a lead on good equality and diversity. Both local authorities and trade unions intend to be at the forefront of work on equality and diversity and this Guide is part of that commitment. If local councils are to retain the confidence of all the communities they aim to serve they should reflect the make-up of the communities within their workforce. And, as a focal point of community opinion, they should lead the drive for equality by example. They are covered by the Equality Act 2010, this legislation, includes that it is unlawful to discriminate against people at work because of a **protected characteristic**. The protected characteristics are

- age
- disability (a disabled person being defined as someone who has a mental or physical impairment that has a substantial and long-term adverse effect on the person's ability to carry out normal day-to-day activities)
- gender reassignment (covering all people considering or undergoing or who have undergone gender reassignment whether or not they have medical treatment)
- marriage or civil partnership
- pregnancy and maternity
- race (including colour, nationality, and ethnic or national origins)
- religion or belief
- sex
- sexual orientation

1.2 It is also unlawful to discriminate because a person is a member or non-member of a trade union or because he or she is a part-time worker or on a fixed term contract.

1.3 The Equality Act 2010 also includes the Public Sector Equality Duty, which requires public bodies to have due regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations between different people when carrying out their activities. The public body also needs to consider the impact of its decisions on both its service users and its employees.

2. EQUALITY AND DIVERSITY MAKES GOOD BUSINESS SENSE

2.1 Making equality a cornerstone of their work helps councils to:

- use resources efficiently and effectively to deliver quality services;
- combat discrimination against particular groups in the workforce and the community;

- make the most of their greatest asset - the workforce;
- recruit and retain quality staff;
- improve motivation and performance;
- reflect the composition and diversity of the local community at all levels of the workforce;
- break down the barriers of discrimination and nurture cooperation.

2.2 Although steps have been taken to reduce direct discrimination in recent years, indirect discrimination is still a major problem. Inferior conditions of service for part-time workers (who are mainly women), access to employment and services for disabled people and other less obvious but no less important areas of discrimination exclude groups of people from the workforce or deny them equal employment rights, opportunities for advancement and career progression.

2.3 The Equality Framework for Local Government (EFLG) comprises five performance areas:

- Knowing your communities Leadership
- Partnership and organisational commitment
- Involving your communities
- Responsive services and customer care
- A skilled and committed workforce

It has three levels of achievement, namely: 'Developing', 'Achieving' and 'Excellent'.

2.4 This Guide is intended to be a reference document which sets out practical principles local authorities can adopt as employers to further equality. It is also written as guidance for elected members, managers, employees (and potential employees), and trade unionists. Human Resource (HR) managers, equality specialists and other experts who need to implement personnel policies have their own sources of advice. It is not the purpose of this Guide to supplant those sources, and a list of publications which develop practical approaches to the detailed aspects of implementing equality and diversity is included as an **Appendix**

2.5 Each Section of the Guide is set out to convey a range of actions to achieve each aim. However, the National Council acknowledges that there is a wide variation between the size of authorities, the make-up of their populations and the committee systems and management structures authorities have adopted to pursue their policies. The National Council acknowledges that local councils will need to select the appropriate measures to match their circumstances - a single approach by all authorities would not be sensible.

3. THE EQUALITY AND DIVERSITY POLICY AND ITS IMPLEMENTATION

Aim

To produce a framework for equality and diversity practice across the authority and the means of implementing it.

Actions

- Develop a policy which suits the needs of the authority, by consulting senior managers, trade union representatives and local community organisations along with the recognised sources of advice;
- Establish effective mechanisms for putting the policy into effect. Whatever the mechanism chosen there should be a requirement to present an annual progress report;
- Decide on targets which promote equality and diversity. These will vary between authorities as no two authorities will start from the same position or have the same challenges. This may require an equalities audit done in consultation with the trade unions;
- Set realistic deadlines to achieve the targets. The disciplines of a timetable are important but the deadlines must be achievable;
- Build in ways of monitoring progress;
- Identify those accountable for implementing the elements of the plan. No one should be in doubt about who is doing what;
- Write into the plan review dates and criteria. As targets are achieved or other issues arise, the action plan may need to be modified and other priorities set.
- Ensure that all staff are trained in Equality and Diversity

Comments

The Equality and Diversity Policy must contain a statement of commitment which sets out its scope and can be used as a summary of the council's position. It will describe clear objectives and priorities and include measurable targets. The commitment of the council, its senior managers and its trade unions must be demonstrated. Finally the policy needs to be publicised to all managers and supervisors, to staff, potential employees and the local community.

The Measures Covered by the Action Plan

The targets within the action plan are aimed at measures to promote equality which generally fall into three categories:

- Authority-wide measures directed at the workforce as a whole, for example running training courses, seminars etc. to raise awareness of equality and equalities issues; assembling the data on which to plan for equality; recruitment and selection procedures.

- Measures aimed at specific groups, for example, eliminating problems of access for disabled people, introducing flexible working conditions for employees with caring responsibilities; adopting HIV policies; providing prayer rooms; setting equality targets. Authorities should consider using the positive action provisions of the Equality Act
- which requires public bodies to have due regard to the need to eliminate discrimination, advance equality of opportunity between people who share a characteristic and those who don't and foster good relations between people who share a characteristic and those who don't. The public body needs to consider the impact of its decisions on both its service users and its employees

The measures taken by authorities need to be appropriate to the size of the organisation and make-up of the population served by the authority.

RECRUITMENT AND SELECTION PROCEDURES

Aim

To ensure that there are no discriminatory barriers to the employment and promotion of members of any group.

Actions

- When a post becomes vacant an accurate job description, either a new one or an existing one which has been reviewed, should be drawn up before the job is advertised, if it is reviewed ensure it still fits with the pay and grading criteria for the post. No unnecessary duties should be included.
- Person specifications should be written to cover only the qualities essential to the post. Unnecessary physical or language requirements should be avoided. The value of skills gained through non-traditional work e.g. voluntary work should be considered. The competence gained through experience should be balanced against that gained through more formal routes.
- Application forms should elicit the information about the applicant's suitability for the job. Where other information is collected for equality monitoring purposes it should be in a form which ensures anonymity. Special provision for those unable themselves to complete a form should be considered e.g. whether a recorded application might be acceptable for someone with a visual impairment.
- Advertise the vacancy so as to promote equality. Generally this will mean advertising internally and externally at the same time. Make use of media which reach all parts of the community.
- Ensure recruiting agencies, if they are used, operate to the same standards as the authority and comply with the authority's policy.
- Avoid stereotyping in recruitment literature.
- Criminal offences should not be in themselves a reason for debarring an applicant from equal treatment in the recruitment and selection process where the offence is irrelevant to the duties of the individual as

an employee. The only consideration should be whether the offence is one that makes the individual unsuitable for his or her type of work.

- Shortlisting should take place against the criteria in the person specification.
- Record reasons for rejecting/selecting applicants.
- Interviews should be carefully structured around a common core of questions and only relevant questions should be asked. Where tests are used, these should be non-discriminatory and should be ones that have been shown to be appropriate to the task. Facilities for people with disabilities should be provided for interviews and tests where appropriate.
- Record the reasons for decisions taken by the interview panel.
- Ensure that a confidential feedback procedure is available for candidates and that they are aware of it.
- Authorities should consider setting up a confidential procedure to deal with complaints of discrimination in recruitment.
- Medical screening should concentrate on health factors pertinent to the tasks.

Comment

The importance of reviewing existing practice should be recognised to ensure that procedures have developed along with best practice and to ensure that all employees regardless of employment status are included.

TRAINING

Aims

- To develop greater understanding of equality and diversity issues and the council's policy among members and the workforce generally.
- To ensure those staff the council have identified as needing to implement the equality and diversity measures are capable of doing so.
- To encourage and train members of groups who are underrepresented in the workforce or who have been traditionally excluded from training programmes, e.g. part-time and temporary workers.
- To ensure that training and the training budget is equally distributed across the whole workforce

Actions

- The appropriate department e.g. central human resources, chief executive's, should be made responsible for a programme of courses which address discrimination, so that all of the council's workforce is reached;
- The programme of courses will need to be prioritised;
- Induction courses for new employees should include training on the local authority's equality and diversity policy;

- Those who need a more detailed knowledge of the antidiscrimination measures the authority has adopted, for example, those with a part to play in recruitment and management of staff, should be given appropriate training;
- A programme of positive action training for employees of an under-represented groups should be developed; e.g Local authorities could facilitate training for disabled people to open up opportunities for employment and career advancement In designing occupational and career progression courses the needs of disabled people should be borne in mind. As well as accessibility, there is the question of the format of materials, for example in Braille or on tape.

Comments

A programme to raise awareness of equality and diversity and combat discrimination will be an ongoing programme for Authorities. The priorities the council sets in this programme will depend on the make-up of the local community and its own progress along the equal opportunities path.

Positive action means the steps that an employer can take to address the different needs or past track record of disadvantage or low participation of people who share a particular protected characteristic.

Equality law says that an employer has to go through a number of tests to show that positive action is needed.

The tests say that the steps an employer is allowed to take as part of positive action must:

- be related to the level of disadvantage that exists
- not be simply for the purposes of favouring one group of people over another where there is no different need or disadvantage or under-representation in the workforce.

An employer must not have a blanket policy or practice of automatically treating people who share a protected characteristic more favourably than those who do not have it in the way that they manage them. They must look at whether it is needed for a particular group in a particular situation.

To avoid legal pitfalls, however, authorities need to be sure that the group targeted by the positive action is under-represented and are advised to consult their legal advisers before implementing their proposals.

Equality and diversity awareness training should be available to all employees and arrangements made to ensure that they can participate fully.

PAY, GRADING AND CONDITIONS OF SERVICE

Aim

Pay, grading and conditions of service negotiations at both national and local level, should seek to ensure consistency, transparency and equality. NJC guidance on pay and grading reviews, equal pay auditing and equality impact assessing is set out in Parts 4.9, 4.10 and 4.11.

Actions

The aim may be achieved by:

- evaluating jobs using the same analytical and non-discriminatory method
- using consistent and non-discriminatory criteria for ensuring salaries at appointment are fair
- including pay and grading in the equality monitoring process and reviewing these on a regular basis
- training managers and staff involved in decision-making on pay, grading, appointment and promotion to be aware of potential direct and indirect discrimination
- ensuring that equal pay and equal treatment initiatives are accessible to casual, temporary, full-time and part-time staff.

Comments

Pay

The local authority's pay structure should comply with the Equality Act 2010. Pay and allowances must be free of bias and discrimination on the grounds of the protected characteristics laid down under the Equality Act 2010,

Alongside these issues, authorities will want to consider reviewing the content of low-paid jobs traditionally done by women to enhance these, making them more rewarding. Skills pathways can assist employees in developing their careers within local government.

Authorities should also promote policies and procedures to provide flexibility of work to all staff. In a sector where more than half of staff work part-time, full time working is seen as the norm for higher grades and part-time and flexible working an add-on rather than integrated into the standard way people work. Part-time working is widely available in local government but is overwhelmingly female and restricted to the bottom grades. Part-time workers have few ways of moving into better paid jobs. Further up the pay structure part-time working is much rarer. Women are often constrained by the choices available on a part-time basis and cluster in occupational groups where there is some flexibility in working. As a result, many are working below their acquired and potential skill level. Opening up quality part-time and flexible working will not only help tackle gender inequality in local government

but also race and disability inequality. It is also a more efficient use of workforce talent.

Grading

Grading criteria should be non-discriminatory so that comparisons can be made between levels of skills across different job types. This is not the simple process it sounds, for example, the use of qualifications in the grading process may appear to be non-discriminatory, but in practice, where there is unequal access to qualifications, it can indirectly discriminate. Qualifications can be a useful indicator but training and experience should also be recognised as an equivalent. Job evaluation schemes should be analytical i.e. factor based and non-discriminatory, capturing all the elements of the workforce.

Conditions of Service

Conditions of service are generally expressed in equal terms but they should also be non-discriminatory in their application. The provision of fringe benefits such as removal expenses, car leasing and performance related pay should be on the basis of non-discriminatory criteria. Access to overtime and other enhanced payments should be reviewed in the light of good equality practices. Training provision should be reviewed to ensure it is accessible to all staff, regardless of hours worked.

ANALYSIS, MONITORING AND REVIEW

Aim

To be able to assess the effects of introducing equality and diversity measures and to ensure the policy continues to be relevant.

Actions

- Collect information from the workforce covering the Protected Characteristics, this information provides the database;
- Similar information can be sought from job applicants (although methods should be used to ensure that this is done on an anonymous basis);
- Review and interrogate all data collected and share and discuss with trade unions
- Local authorities seeking to collect other, more sensitive information for the purpose of promoting equality, should do so following discussions with the recognised trade unions and should ensure confidentiality and that the information is not used for other purposes;
- Ensure employees leaving the authority are interviewed to find out why they are leaving and that the details are recorded;
- Update the database regularly to check progress towards equality targets;

- The council should review the equality and diversity policy annually in terms of its scope and the effectiveness of measures taken.

Comments

Ensure compliance with the Data Protection Act 1998. The basic numerical databases for equality monitoring purposes will overlap with others the council has established e.g. for training needs. So ensure these statistics are reviewed together.

Other initiatives might require one-off surveys. It is important to encourage individuals to provide personal information to get robust data for monitoring. Effective communication is key to build confidence in the integrity of the organisation's monitoring processes and the willingness of staff to provide information. Any communication asking for sensitive diversity data should include:

- Why you are collecting the information and how you will use it?
- How you will restrict access to protect the information and who has access to it?
- How monitoring has helped to identify issues and what action has been taken to bring about improvements?

The sensitivity of monitoring makes it important that is developed in consultation with the trade unions.

Analyse the data to look for inequality for different groups. It is also valuable to do a multidimensional analysis of the data, rather than just limiting it to single diversity strands. The impact of a policy could, for example have a detrimental effect on an ethnic minority male member of staff who also has a disability

DEALING WITH HARASSMENT

Aims

To reduce and prevent harassment and ensure a safe and nonthreatening working environment.

To provide employees who believe they have been subject to harassment and/or discrimination with a means to have that complaint addressed and to deal with those employees who are accused of breaching the authority's equality and diversity policy.

Action

- Agree between the authority and the trade unions positive and clear policies and procedures to deal with complaints of harassment and discrimination;

- Agree between the authority and the trade unions how harassment on the grounds of any disadvantage can be tackled
- Consider how counselling of harassed workers can be best introduced;
- Include training in dealing with harassment and accompanying procedures in training given to managers and supervisors;
- In proven cases of harassment decide how subsequent disciplinary action will be proceeded with.

Comments

Harassment can be recognised as a free standing form of discrimination. Different types of harassment are set out in the Equality Act: The first type of harassment is unwanted behaviour related to age, disability, race, sex, gender reassignment, religion or belief or sexual orientation, which has the purpose or effect of:

- Violating a person's dignity, or
- Creating for that person an intimidating, hostile, degrading, humiliating or offensive environment

'Unwanted behaviour' can include any kind of behaviour, including spoken or written words or abuse, imagery, graffiti, physical gestures, facial expressions, mimicry, jokes, pranks, acts affecting a person's surroundings or other physical behaviour.

The second type is related to relevant protected characteristics (age, disability, gender reassignment, race, religion or belief, sex, sexual orientation) and covers situations

- where the harassment is related to the worker's own protected characteristic, or
- where a person is abusive to other workers generally, but a particular worker feels harassed because they have a protected characteristic

Sexual harassment takes place when a person does something of a sexual nature (which might be verbal, non-verbal or physical) which has the purpose or effect of:

- violating a person's dignity, or
- creating an intimidating, hostile, degrading, humiliating or offensive environment for that person

'Of a sexual nature' can include unwelcome sexual advances, touching, forms of sexual assault, sexual jokes, displaying pornographic photographs or drawings or sending emails with material of a sexual nature.

The third type of harassment is where a worker is treated badly because they either submit to or reject sexual harassment or harassment related to sex or gender reassignment.

The word ‘unwanted’ means 'unwelcome' or 'uninvited'. This does not mean that express objection must be made to the conduct before it is considered unwanted. A worker does not need to make it clear in advance that offensive or stereotyped remarks are unwanted. It also means that employees are able to complain of harassing behaviour that they find offensive even if is not directed at them.

Harassment can be unlawful and employers may be liable for the behaviour of their staff. All forms of harassment can have an adverse effect on job performance, attendance, staff turnover, morale and health. It is a serious issue which requires recognition and action.

Authorities must put in place a harassment policy. The whole area surrounding complaints about discrimination and harassment is an extremely sensitive one. It is essential to involve the recognised trade unions in agreeing the procedures for dealing with it.

Make sure all employees are aware of the policy’s existence and of their responsibilities to make it work, for example, by providing them with training.

Employees working in direct contact with the public, sometimes in their own homes, may be particularly vulnerable and procedures should be in place to investigate any complaints. Harassment is not just an issue between employees. Elected members, clients and members of the public may be guilty of harassing staff or may be harassed. Procedures should be designed to deal with these eventualities.

Use the policy to explain the steps you are taking to prevent harassment. The EHRC recommends that a harassment policy should:

- Describe the protected characteristics and clearly state that any harassment of workers or job applicants related to any of these characteristics will not be tolerated.
- Make it clear that harassment will be treated as a disciplinary offence.
- Clearly explain how a worker can make a complaint, informally and formally.
- Make it clear that complaints of harassment will be dealt with within a reasonable time, treated seriously and confidentially, and that someone complaining will be protected from victimisation.
- Describe what support is available to a worker if they think they are being harassed, for example, counselling or a worker assistance programme.
- Describe any training/other resources available for workers to help them spot and stop harassment.
- Describe how your policy will be implemented, reviewed and monitored

A review process is particularly important if someone has complained of harassment, as you will need to make sure that your policy was effective in dealing with the incident.

As part of the health and safety risk assessment that employers are obliged by law to carry out in each workplace, any foreseeable sources of harassment should be identified and action taken to deal with them.

PART 4.2: Appendix

Sources and Publications

General

Equality and Human Rights Commission
http://www.equalityhumanrights.com

Guides for Employers
http://www.equalityhumanrights.com/private-and-public-sector-guidance/employing-people/guidance-employers

The Equality Act 2010 Code of Practice
http://www.equalityhumanrights.com/publication/employment-statutory-code-practice

The Equality Act 2010 Code of Practice on Equal Pay
http://www.equalityhumanrights.com/publication/equal-pay-statutory-code-practice

Guidance on the Public Sector Equality Duty
http://www.equalityhumanrights.com/private-and-public-sector-guidance/public-sector-providers/public-sector-equality-duty

LGE Equality Frameworks
http://www.local.gov.uk/equality-frameworks

Age
http://www.acas.org.uk/index.aspx?articleid=1841

Disability
https://www.equalityhumanrights.com/en/advice-and-guidance/disability-discrimination

Gender Reassignment
https://www.equalityhumanrights.com/en/advice-and-guidance/gender-reassignment-discrimination

Marriage or Civil Partnership
https://www.equalityhumanrights.com/en/advice-and-guidance/marriage-and-civil-partnership-discrimination

Pregnancy and Maternity
http://www.acas.org.uk/index.aspx?articleid=5271
https://www.citizensadvice.org.uk/discrimination/what-are-the-different-types-of-discrimination/pregnancy-and-maternity-discrimination/

Race
https://www.equalityhumanrights.com/en/advice-and-guidance/race-discrimination

Sexual Orientation
https://www.equalityhumanrights.com/en/advice-and-guidance/sexual-orientation-discrimination

Religion or Belief
http://www.equalityhumanrights.com/publication/religion-or-belief-workplace-guide-employers-following-recent-european-court-human-rights-judgments

Gender (sex)
https://www.gov.uk/government/collections/gender-equality-in-the-workplace-think-act-report-case-study-series

PART 4.3 Guidance on Appeals

1. Background

Paragraph 5.3 of Part 2 of the National Agreement provides that:

"An employee dissatisfied with the grading of their job is entitled to appeal for a reconsideration of the grading. Procedures will be agreed locally to deal with such appeals"

The local detailed procedure should be discussed and agreed jointly. NJC JE **Technical Note 9** sets out procedural issues in relation to appeals in the context of job evaluation and should be read in conjunction with this guidance.

2. Features of an Appeal Process

2.1 Grounds for Appeal

2.1.1 The National Agreement (see above) uses the word "dissatisfied". Grounds for appeal therefore are not limited by the national agreement which may include comparisons, equal pay, an incorrect job description, or increased duties and responsibilities, recognising that many jobs do change over time without their essential character changing. Appeals could also follow departmental reviews and reorganisations.

2.1.2 It is standard job evaluation practice to allow appeals against an initial evaluation exercise and to allow requests for re-evaluation of a job which has changed significantly since the initial evaluation. The Part 4 model procedure combines these two separate procedures into a single appeal procedure.

2.2 Procedure and Time-limits

2.2.1 The appeal procedure should be clear, concise and incorporate time limits which ensure that the process can be completed quickly The procedure should make clear that appellants have the right to be represented by their trade union from the start of the appeal process.

2.3 Registering an Appeal

2.3.1 Rules about how the appeal should be registered, with whom and by when need to be agreed:

- Standard documentation is essential for consistency. This applies not just to appellant documentation but also any preparatory work done by the job evaluation team supporting the appeals process, such as summary documents and structure charts.

- There should be a designated point of registration for appeals.
- There should be a defined period between the receipt of a job evaluation outcome and the deadline for the submission of an appeal expiring

2.4 Stages of Appeal

Typically there will be two levels of appeal within the authority – an informal stage and a formal stage. **Technical Note 9** sets out some issues for consideration in developing an appropriate appeals procedure.

2.5 Appeals Panels

2.5.1 Having a clear and well structured 'conduct of appeal panel' procedure that all parties are aware of will help manage individual panels effectively and allow for the planning and delivery of the appeals process in a structured way. **Technical Note 9** sets out considerations for determining the composition, size, membership and chairing of the appeals panel.

2.5.2. Principles for the conduct of appeal panels should include:

- Upholding the integrity of the job evaluation scheme and ensuring its fair and consistent application
- Aim to reach consensus outcomes
- Delivering robust and defensible outcomes that fully represent the appealed role and are non-partisan
- Conducting appeals in an open and transparent manner so that staff have a clear understanding of how the appeal procedure can be used

2.5.3 It may be decided locally that the appeals panel would benefit from the input of a management and trade union representative from the evaluation team. This is because they may be able to help with points of clarification such as the application of local conventions. However their presence at appeals panels should be solely in an information giving capacity. All union and employer representatives involved in appeals should not have been previously involved in the evaluation of the job under consideration.

2.5.4 The question of introducing an external, independent element into the process is a matter for the local parties. If adopted, the broad alternatives are for an independent person to participate in the process within the authority or a further, external stage of appeal. Where an independent person is used, they could sit on the panel at the final appeal stage as a Chair or Assessor.

2.6 Presenting the Case

There are a number of issues to consider here:

- Will a full written statement of case be sought at the first stage or a later stage, with only an outline necessary for the first stage of appeal?
- Who will be allowed to present the case for the appellant?
- Will management be required to present reasons for not agreeing to the application in writing at all stages or just orally at the first stage?
- Which management representatives will be responsible for presenting the case?
- Will oral presentations to the panel be time-limited?

- Will witnesses be allowed (if so, notice of such should be given prior to the hearing)?

2.7 Appeals and the Computerised Scheme (Gauge™)

2.7.1 The grounds for re-evaluations and appeals remain as set out in the Green Book. However in practice use of the computerised version should significantly diminish the scope for appeals. In particular it should virtually eliminate appeals on the grounds that the scheme has been wrongly applied as use of the computerised version will remove the potential for inconsistent panel results, particularly over time.

2.7.2 As with the "paper version" of the scheme, if a job holder is dissatisfied with the evaluation of their job, as a first step, there should be an informal discussion with the appropriate manager and the union representative to identify the problem and resolve it if possible.

2.7.3 In considering requests for re-evaluations, use of the computerised version will enable the records to be quickly analysed and particular factors to be identified where the evaluation result may be disputed.

2.7.4 Re-evaluations should be conducted using the computerised version. A freshly completed JDQ (or part thereof) should be used. It may also be advisable for a different (trained) person to conduct the interview. With the web version of Gauge™, it is now possible, through the Evaluation History facility, to keep a historical record of the first evaluation and the system will then recognise the latest version. It is, however, always possible to 'roll back' to the original version as an 'audit trail' of any changes made to the factor scores (and the reasons given for any changes must be recorded).

2.7.5 Where the local parties agree to a further appeals mechanism outside the authority (as referred to in Part 4.1, Appendix 2), any such re-evaluations/appeals would have to ensure that the originating authority's local conventions applied.

2.8 Training

While it is acknowledged that authorities have been conducting appeals for many years, changes to the processes which are agreed locally may necessitate a review of the material used to train those involved. As well as receiving training on the operation of the scheme, all panel members should be trained on equality issues and the avoidance of sex bias in the evaluation process

2.9 Monitoring

2.9.1 Whichever procedures are agreed locally, a check should be kept on appeals and advice on monitoring is set out in **Technical Note 9**. If there is no obvious explanation for any apparent inconsistencies, then it will be necessary to investigate further, seek an explanation and rectify any problems

Part 4.5: Guidance on Family Related and Work Life Balance Issues

It has been agreed to issue national guidance on certain family related areas as follows, so as to reflect good practice.

1. Fertility Treatment

Authorities are recommended to make reasonable time-off arrangements for employees undergoing fertility treatment.

2. Ante-natal Care for fathers-to-be, partners or nominated carers

In addition to the statutory right provided by the Employment Rights Act 1996, section 57ZE, (unpaid leave on two occasions) authorities may grant further time off for ante-natal care to fathers-to-be, partners or nominated carers. A nominated carer is as defined under Part 2, paragraph 7.6 of the Green Book. Examples could include time-off to attend parent-craft classes or to accompany the expectant mother when undergoing a medical examination. Authorities may request that the employee produce evidence of appointments.

3. Miscarriage, Termination, Still-birth and Death of a Baby

If the baby dies or is still-born after 24 weeks' pregnancy the maternity scheme applies. Where this occurs before 24 weeks (miscarriage) or there is a termination authorities should give sympathetic consideration to the circumstances and where necessary grant special leave or sick leave, as appropriate on the basis of the individual circumstances. The decision should be based on the needs of the employee and medical opinion.

4. Premature Birth

Where a baby is born prematurely authorities should consider each case on its merits and the action required. For example extension of the maternity leave period might be appropriate. The necessary discretion already exists under the scheme.

5. Adoption Support Leave

Adoption support leave of 5 days with pay shall be granted to the partner or nominated carer of the primary adopter at or around the time of placement. A nominated carer is the person nominated by the primary adopter to assist in the care of the child and to provide support to the primary adopter at or around the time of the placement.

6. Contact Schemes

Authorities and employees should maintain contact over the maternity leave period. Authorities need to ensure that employees are kept informed of vacancies, any significant workplace developments and training opportunities.

7. Shared Parental Leave

Employees opting for shared parental leave (SPL) are required to end their maternity leave, either by returning to work and then opting into the SPL scheme or by giving notice that they wish to end their maternity leave at a future date. An employee must take two weeks' compulsory maternity leave

following the birth of the child. Any employee who chooses not to opt into SPL preserves their right to take 52 weeks' maternity leave.

Authorities should publish their policies on the above areas and their policies of paternity leave and shared parental leave, and make available good, clear information on maternity, parental and other family-friendly issues to employees in relevant formats and languages. Joint Guidance on many of these and related areas is in the NJC Guide, "*Finding the Balance*".

8. Flexible Working / Work Life Balance

Authorities should give a lead on good practice in family friendly forms of working. The NJC Guide, "*Finding the Balance*", provides joint guidance on the full range of options.

Under section 80(f) of the Employment Rights Act 1996 all employees with 26 weeks' service have the right to ask for flexible working and have their request considered in a reasonable manner. ACAS has produced a Code of Practice, *Handling in a Reasonable Manner Requests to Work Flexibly*, that organisations should take into account.

9. Time Off for Dependants

In addition to time off for dependants under section 57A of the Employment Rights Act 1996, as amended, authorities shall consider events which may be foreseen, but which are of a serious nature such as to make the presence of the employee necessary. For example, time off to settle an elderly relative into a care home or to attend a hospital appointment or planned operation with a child/partner.

Part 4.6: Parental Leave Model Scheme

1. Entitlement

1.1 Parental leave of 18 weeks shall be granted to employees having or expecting to have responsibility for a child as defined in Regulation 13(2) of the Maternity and Parental Leave etc. Regulations 1999.

1.2 Authorities should make parental leave available to those with parental responsibilities but who do not fall under the legal definition. This might include foster parents; adoptive parents prior to placement; grandparents with a significant parenting role and stepparents.

1.3 Leave shall be granted for the purposes of caring for a child up to the age of 18.

2. Notice

2.1 Every attempt will be made by the employee to give as much notice as possible with a minimum of 7 days' notice in writing before the day on which s/he proposes to take the leave.

2.2 Parental leave may be granted to employees who have not given the required notice in special circumstances at the discretion of the employing authority. Such discretion shall not be unreasonably withheld.

3. Postponement

3.1 Every attempt will be made in the employing authority to avoid postponement. In any event, leave shall not be postponed for more than three months except in exceptional circumstances.

3.2 Authorities shall agree guidelines with the recognised unions to deal with the procedures for postponement in exceptional circumstances where the service would be unduly disrupted if the employee took leave during the period identified in his/her notice. The following steps act as a guide:

(i) Consult between authority and the employee with a view to coming to agreement over alternatives. These might include:

- a different pattern of leave - eg part time rather than full time;
- a shorter or longer period of leave;
- alternative dates within the three month period.

Where there is no agreement, authorities must as a minimum, permit the employee to take a period of leave of the same duration and beginning on a date determined in consultation with the employee no later than three months after the originally notified start date.

(ii) Following consultation, and not more than seven days after the employee's notice was given to the authority, the authority shall give the employee notice in writing of the postponement which states the

reasons for it and specifies the date on which the agreed period of leave will begin and end.

3.3 Postponement may not be used where employees in the particular circumstances outlined below have requested parental leave. Following maternity support leave. The unpredictability of the timing of childbirth will also have implications for notice. It is recommended that employees expecting to take maternity support leave should discuss their likely requirements for parental leave.

3.4 Following maternity leave. Where a mother takes a period of parental leave following on from a period of maternity leave, authorities should give guidance on the new interpretation of Part 2 provision 11.5 (b) (iv). Where parental leave is taken as a full time block of leave following maternity leave, an employee should not be required to refund monies paid under this section unless she does not return to local authority employment for a period of at least three months after the end of the parental leave period.
At the time of adoption. At times prior to adoption where the parent is required to be at home by the adoption process, or following adoption leave.

4 Flexibility

4.1 Employing authorities shall be sympathetic to flexible parental leave-taking arrangements as requested by employees.

4.2 Parental leave may be taken:

- as a single block of up to 18 weeks,
- as a number of shorter periods of a minimum of half a day
- in patterns which provide a part time or reduced hours working arrangement for a period of time equivalent to taking 18 weeks leave as a single block

4.3. It is recommended that joint guidelines are drawn up to deal with flexible and part time leave-taking arrangements including those on part time, variable or annualised hours contracts

4.4. Guidelines should also include procedures to plan for adequate staffing cover.

5. Return

5.1. Employees on parental leave shall have the same right to return to their job as provided to those on maternity leave under Part 2, Paragraph 11.6 of the Green Book.

5.2. Authorities are recommended to introduce procedures to meet individual requirements for training and a flexible return to work following parental leave.

6. Terms and conditions during parental leave

6.1. Time taken as parental leave shall be treated as continuous service for the purpose of Part 2 Paragraph 14 of the Green Book.

6.2. Employees who fall sick during a period of parental leave and who give the employing authority the relevant notification shall be entitled to pay under the sickness scheme and this period shall not count towards their parental leave entitlement.

Note: **PAY**

Where pay is reduced because of parental or other leave paid at less than full pay, authorities shall assist employees in obtaining information regarding the implications of reduced national insurance contributions and the possibility of state support through benefits or tax credits.

Part 4.7: Management of Health & Safety

1. Introduction

1.1 The National Joint Council (NJC) recognises that effective health and safety management results from proper planning, organising, controlling, monitoring and reviewing and is vital to good employment, the delivery of, and improvement of, services and will reduce loss of resources.

1.2 Local authorities and trade unions share the aim of providing safe and healthy workplaces and systems of work. Both Sides will work enthusiastically and in the spirit of cooperation to engender a positive safety culture within the authority. The employers and trade union safety representatives will work in the spirit of partnership to promote health and safety policies and initiatives that will improve the health, safety and welfare of employees. Local authorities in collaboration with all safety representatives will strive to be exemplars of health and safety management practice. A safe and healthy workforce is a more productive workforce and good health and safety is not only good for workers but also for the delivery of local government services.

1.3 Local authorities are diverse in size, structure and services delivered and a wide variety of hazards exist. The risks posed are to be controlled proactively by the systematic application of preventive and protective measures within a risk assessment framework.

1.4 Consultation with the workforce through trade union safety representatives is recognised as one of the key ways in which health and safety performance can be improved. The NJC promotes joint consultation on all matters relating to the health and safety of the workforce. Safety committees are recognised as an effective mechanism to assist in the management of health and safety.

1.5 Authorities have a statutory duty under the Health & Safety at Work etc Act 1974 with regard to the health and safety of their employees and others who may be affected by their undertaking. This duty cannot be contracted out. Authorities should ensure that adequate resources are allocated to securing the health, safety and welfare of its employees and those affected by its undertaking.

2. Joint Consultation

2.1 The NJC accepts that the development and implementation of other policies, for example, procurement and environmental matters, could impact on health and safety, and must be subject to effective consultation with a view to reaching agreement. The sharing of information and experience between trade union representatives and management in the spirit of cooperation and partnership should be encouraged and is underpinned by regulations especially in the development of preventive and protective measures, ie. the risk assessment framework.

2.2 Full use must be made of safety representatives and safety committees. This will include the provision of information, opportunities for attendance at approved union/TUC training, arrangements to investigate health and safety matters and provision for joint safety committees to review the effectiveness of policies and procedures. Joint safety committees should deal not only with those matters required by regulation but also such other issues as may be agreed.

3. Local Authorities should recognise that:

- the health and safety and well being of the workforce is crucial to the proper functioning of the authority and the provision of its services.

- health and safety must be adequately considered in policy development and in the decision making process at all levels by both officers and elected members of the authority.

- commitment to health and safety is necessary from the top of the authority at both elected and officer level. As such there should be a designated person at both elected and director (first or second tier) level with the role of driving up health & safety standards. Employees at all levels must understand and accept their health and safety responsibilities.

- health and safety management should be incorporated in the authority's performance monitoring and reporting arrangements and improvement planning process.

- Employers have a duty to manage sickness absence and union safety representatives can play an important role in the process of absence management. The Health and Safety Executive (HSE) has confirmed the link between effective union safety representatives and better managed sickness absence. They suggest that union safety representatives should work with employers in respect of sickness absence in:

    - Identifying measures to improve the health of employees and to prevent it being made worse by negative aspects of work

    - Developing workplace plans and policies on sickness absence management

    - Keeping employees on sick leave in touch with work

    - Planning adjustments enabling sick employees to return to work

    - Supporting sick workers in a more proactive way to help them to return to work

    - Promoting understanding of disability and health conditions in the workplace

NB: Individual Authorities / Employers may have differing arrangements regarding joint working with their trade unions on managing sickness absence and the intention of the above is to highlight the positive impact that joint working between the Authority / Employer and trade union representatives (shop stewards / health & safety representatives) has in managing sickness absence.

- services are now delivered in many ways eg. by contractors and in partnership with both the voluntary and private sectors. Authorities must have a system in place to satisfy themselves that contractors and partners have the ability and resources for effectively managing health and safety, thus protecting all who may be affected. Health & safety must be incorporated into contracts and partnership agreements and the performance properly monitored. Contracts and partnership agreements should include arrangements for joint consultation and sharing of information. Authorities should recognise the value of safety representatives in maintaining health and safety standards of contractors.

- organisational change can affect the well-being of employees; therefore effective dialogue with trade union representatives over health and safety implications is essential to reduce potential risks to health and to promote employee well-being. Union representatives can play a key role in both supporting employers to identify the health and safety risks from planned changes and explaining safety measures to the workforce and gaining commitment. There is also a legal duty on employers to consult in good time with safety reps on changes which have the potential to affect the health and safety of the employees they represent.

- Local government has seen unprecedented levels of change in recent years. Change is likely to be a key cause of stress in the workforce. Staff will be particularly vulnerable to stress where there are risks of redundancy, down grading or services transferred to another employer. Pre-existing health problems may worsen and working in unfamiliar environments with increased demands may also cause stress. The HSE's standards on stress outline the states to be achieved in order to reduce the impact of organisational change and has developed a stress indicator tool that organisations can use to measure how they are meeting the stress standards

- There are significant moral, financial and quality reasons for minimising stress in the workplace. Stress can also manifest in groups. Stress in teams can impact on the quality of service delivery. Organisations need to ensure all employees are aware it takes management of workplace stress seriously. A key way of achieving this is to implement a workplace stress policy effectively.

- a high standard of occupational health provision aimed at ensuring the well-being of the workforce coupled with effective implementation of rehabilitation and redeployment policies are important. Occupational health advisers, working in conjunction with other professionals and in consultation with trade unions on general arrangements, can make a major contribution towards this goal.

- training is vital to securing the health and safety competency throughout the workforce. Local authorities should ensure that employees are given adequate health and safety training following recruitment and repeated as required, and in particular:

- on specific hazards and risks

- when exposed to new or increased risks due to changes in responsibility, the environment or the introduction or change of technology.

- In order to comply with both health and safety and equality laws employers are responsible for having the right policies in place and for ensuring managers are trained in their successful implementation. For those who supervise and manage service provision training must be reviewed periodically and safety representatives should be involved in the development and delivery of training programmes to ensure all existing and new risks are addressed.

- the authority must ensure that they have appropriate access to competent advice that is consistent with the size and diverse risk environment of local authorities. The source and nature of the competent advice should be the subject of consultation to ensure that all existing and new risks are adequately addressed

Part 4.8: Guidance on Local Workforce Development Plans

Preamble

1.1 The NJC believes that investment in workforce development is essential to the sustainable improvement of local government services. This guidance is intended to assist in developing and implementing plans for workforce development.

2. Workforce Development Plan Guidelines

2.1 The NJC recommends that plans include:

- Targets and commitments on access to learning.
- The approach to developing Learning Partnerships including any delivery of programmes jointly with the trade unions
- Provisions for ensuring that managers and trade union representatives are jointly trained to deliver the plan
- The approach expected of contractors in relation to workforce training and development.

2.2 The plan should also cover the role of Union Learning Representatives and specify the following in detail:

- Paid time off to attend Union Learning Representative training and accreditation
- Paid time off to attend joint training with managers in connection with developing and implementing the agreement
- Paid time off and facilities to carry out Union Learning Representative duties
- Any paid time off arrangement for employees to consult Union Learning Representatives.

2.3 The following section contains action points that authorities may wish to include as part of their plans:

2.3.1 Corporate strategy:

- Strive to become a 'Learning Local Authority'1 including seeking and maintaining Investors in People or Public Sector Excellence Model status Strive to invest in continuous development of workforce, including seeking and maintaining Investors in People

- Assess the authority's future skill requirements, then examine the age profile and turnover of their current workforce (overall and by occupation) to identify areas that are a priority for action.

- Monitor their workforce in relation to equality and use measures such as positive action training to address under-representation of any groups in relation to the profile of the local community

- Identify external funding opportunities and other resources such as local school or college facilities that can be used to assist in workforce development.

2.3.2 Investing in the current workforce:

- Give priority to addressing basic skills needs and to providing basic ICT skills development opportunities for employees.

- Explore new methods of learning such as distance learning and e-learning.

- Ensure that all managers have the skills to support their staffs' development, including the ability to organise on the job development opportunities and offer coaching.

- As part of employee benefit packages (to help to recruit and retain learning staff) and to encourage a positive attitude to learning, offer a variety of learning opportunities to enable employees to develop skills and knowledge beyond what they might need for work. (For example: by developing learning partnership arrangements with other local organisations; by finding ways to subsidise or negotiate reduced fees for college courses; or by setting up learning centres).

- Benchmark workforce development spend as a percentage of payroll against other public sector organisations

2.3.3 Investing in the future workforce:

- Contribute significant time and resources to effectively promoting local government careers in local schools, colleges and universities and careers services.
- Devote sufficient resources to marketing the authority as a positive employment choice, e.g. pay attention to the quality of advertisements and recruitment materials

- Invest in sufficient progression opportunities and trainee posts to address future skill needs.

- Give appropriate priority to taking on student placements, both supporting the development of those in specific occupations and more general ones e.g. for undergraduates and those still at school.

- Set up or participate in schemes to attract groups of young people, such as Apprenticeships, Traineeships or Graduate Trainee schemes.

2.4 Implementation and Measuring Progress:

The Workforce Development Plan should set out:

- Assessment of current performance against the commitments;
- Key targets and performance indicators for improvement;
- Milestones and timetables towards achieving these targets;
- Responsibility for action;
- Methods for monitoring, and reviewing progress.
- Role of any local partnership arrangements

3. General Information and Advice

3.1 Workforce Development Plans can cover all types of learning including:

- Job-related training designed to equip employees to undertake their current job;
- Initiatives designed to develop new skills and knowledge, relating either to their current role or expanding scope for progression;
- Training and development that allows an employee to develop skills and confidence but is largely unrelated to the current role.

3.2 Workforce Development Plans are likely to concentrate on the first two areas of training and development. However authorities may wish to consider ways in which they might promote the third area as part of recruitment and retention initiatives, to promote learning designed to cover skills gaps and to encourage a positive approach to learning.

3.3 Workforce Development Plans should have clearly quantified objectives. These may include targets such as:

- An annual development assessment review for each employee.
- Specifications on access to learning opportunities for all employees.
- A specified level of achievement for nationally recognised qualifications.

3.4 The NJC recognises that quality marks such as Investors in People help to benchmark achievement in training and development and it encourages

councils to seek this and other forms of appropriate external benchmarking of their training and development activity. The NJC will track progress, using indicators promoted by the People Skills Scoreboard to include Race, Gender, Age, Disability and Grade.

3.5 Apprenticeships and Traineeships

Apprenticeships and Traineeships provide the chance to 'earn and learn' whilst developing skills, experience and qualifications. Apprenticeships can take between one and four years to complete depending on the level of Apprenticeship.

Apprentices should receive pay at the rate for the job, which should be at least the National Minimum Wage.

Apprenticeship schemes should include::

- A written contract of employment.
- A full induction in the workplace.
- A negotiated training plan or contract between yourself, the employer, and the training provider.
- Release from work to attend formal training.
- Provision of an appropriate range of work experiences to enable you to complete your qualifications.
- Access to support, guidance and mentoring.
- Quality training.
- Regular assessments and review of progress.
- Sufficient time away from work station or desk to study in work time.

3.6 Skills Pathways

Skills pathways are an approach to workforce development that focuses on the acquisition of core skills and occupational experience and values needed to enable an individual to perform at a level of competence within an occupational role.

The purpose of skills pathways is to clearly identify and map out opportunities for career progression, against the core competence levels required. These levels of competence are currently defined by the National Occupational standards framework, however local authorities would be encouraged adapt these to meet regional and local needs.

Skills pathways will provide a clear set of expectations (skills profiles) and the mechanisms that need to be in place to assist employees obtain career progression in an occupational role. Skills pathways are not guaranteed steps to obtaining employment and must not be seen as standalone approach.

Implementation will ensure that individuals can update their skills and are supported in the drive for continuous learning and improvement. This initiative

will also provide opportunities for staff to move between services e.g. teaching assistants may become social workers or care workers.

3.7 Individual Development

Local authorities should allow for a budget for learning and development for all staff, which includes training and development both related and unrelated to their current role.

Part 4.8: Appendix A

1. Introduction

1.1 The National Joint Council for Local Government Services for England, Wales and Northern Ireland (referred to as the NJC in this document), representing employers and trade unions are committed to good practice in training and development. The NJC recognises that employees are essential to the provision of high quality public services.

1.2 The 2004 pay agreement contained new training and development provisions in Part 2 Para 3 and Part 4.8 of the Green Book. Part 2 Para 3 of the National Agreement sets out how authorities will develop local Workforce Development Plans closely linked to service delivery. It states that training and development should be designed to meet the corporate and service needs of authorities both current and in the future, taking into account individual needs of employees. It also states that training and development should take into account the full range of learning methods, enable access to learning for all employees and that the needs of part time and shift workers need particular consideration. In addition, authorities should establish local partnership arrangements to include recognised trade unions, to develop their workforce development plans and to promote and support the statutory Union Learning Representative role.

1.3 Part 4.8 sets out guidance around workforce development planning, apprenticeships and trainees, skills pathways and individual development.

1.4 The NJC has produced this document to support the implementation of the NJC agreement and, in particular, to promote the benefits of workforce development and to show how partnership working between employers and trade unions can support successful workforce development. It provides practical advice to support working together to develop the local government workforce.

2. Why Workforce Development is Important

2.1 The pace of change in local government has never been greater, driven by advances in technology, changing customer expectations and demands, and new Central Government requirements and efficiency reviews. New skills are needed to improve performance, to cope with a changing environment and to make the most of new technology.

2.3 Forward thinking authorities and trade unions have recognised that a skilled workforce is key to achieving the requirements of the modernisation and change agenda. This requires a longer-term commitment to investing in developing the workforce. It can only be done successfully in partnership between the authorities and the trade unions, if resources and expertise are to be maximised and used efficiently. **Union Learning Representatives (ULRs),** were created to support the development of staff, recognising that some members of staff are more likely to make their learning and

development needs known to a trusted member of the trade union, than a manager (see Para 6 below).

3. What is Workforce Planning and a Workforce Development Plan?

3.1 Workforce planning is the process of assessing what staff and skills the authority currently has, assessing what will be needed to provide services in the future, say in 3-5 years' time. The workforce development plan sets out the plan of action the authority intends to take to address any gaps, whether that be upskilling existing staff or recruiting more. The process works from both top down, with the council and the top level managers steering the organisation according to its vision and values, and from bottom up, assessing the needs of the individual and the frontline services.

3.2 The plans should be integrated into or linked to existing plans and strategies such as the Corporate Plan, HR Strategy, Learning and Development Plans and produced as part of the business planning process so that resources such as time and money are identified to carry out the plan.

4. Why is Workforce Planning and Producing a Workforce Development Plan Important?

4.1 There are many clear advantages to workforce planning and the production of a workforce development plan. There is strong evidence that investment in the development of employees has a beneficial effect on the performance of the organisation.

4.2 Authorities need to anticipate occupational skills gaps to avoid shortfalls in services due to shortages in key groups of staff such as Social Workers, Planners, Occupational Therapists, Environmental Health Officers, Trading Standards Officers, Building Control Officers and Librarians.

4.3 Workforce development provides an opportunity **to address inequalities in the workforce profile** and take action to remove barriers to progression that directly or indirectly discriminate, enabling everyone to achieve their full potential. The workforce development plan should set out the action the authority intends to take to redress imbalances.

4.4 There are many other benefits to workforce planning and workforce development, such as those listed in Part 2 Para 3.3. This states that the objectives for training and development programmes should include the following:

- To enable Councils to attain their strategic objectives via investment in their employees.
- To promote equity of access to learning.
- To encourage employees to develop their skills and level of responsibility to the maximum of their individual potential.

- To widen and modernise the skills profile of employees to maximise their versatility, employability and so, job security.

- To enable employees to raise productivity, quality and customer service in pursuit of sustainable improvement

5. How Can It Be Done?

5.1 In Part 2 Para 3.4, both sides agreed that authorities should establish local partnership arrangements, with recognised trade unions, to develop their local workforce development plans.

5.2 Part 4.8 lists all the elements that need to considered in a workforce development plan such as:

- Employer commitments and targets such as release for staff to attend training, percentage of payroll spend per head on development, number of days training and so on.

- Employer provisions for the release of Union Learning Representatives (ULRs) for training in their role as ULR, joint training with managers, and for consultation with staff around learning issues (see Para 6.7 below)

- Learning Partnerships

  An appraisal scheme providing each employee with an individual development plan

- Data on workforce profile and access to development opportunities by grade, gender, ethnicity, disability and training outcomes

- Links to assessments such as CPA, Best Value

- Reviews, Social Services and Ofsted inspections.

- Links to National Occupational Standards

- Skills pathways and generic skills frameworks

- Links to the National Skills Strategy and other

- initiatives such as Skills for Life

- Apprenticeships, Traineeships

- Lifelong Learning

- Career advice and work with schools and careers advisers on local government as a career

6. Learning At Work and the Union Learning Representative

6.1 **Union Learning Representatives (ULRs**), who gained statutory recognition in the Employment Act 2002, were created to support the development of staff, recognising that some members of staff are more likely to make their learning and development needs known to a trusted member of the trade union, than a manager. This is especially true in the case of skills for life needs such as numeracy and literacy. ULRs can be particularly valuable where sections of the workforce are sceptical or have difficulty articulating their needs. ULRs have a significant role to play in engaging employees who have traditionally missed out on learning and development opportunities, such as shift/part-time workers, people from minority ethnic backgrounds and women.

6.2 The role of the ULRs is to:

- Help individual union members to analyse their learning and development needs
- Provide members with information and advice on learning and development
- Promote the value of learning and development to their members
- Broker learning opportunities
- Assess the effectiveness of learning and development
- Other activities that promote and support learning

6.3 The TUC, UNISON and GMB have all produced useful information on the role of Learning Representatives and Learning Advisers (see Annex A).

6.4 The trade unions have a range of resources they can bring to the partnership, such as programmes of training and development including distance learning programmes, access to the Union Learning Fund and experience from authorities across the whole country via union support networks. Many of those who take on the role of Learning Rep or Learning Adviser will have experienced work based learning, and be able to advise and support employees who are seeking to develop.

6.5 Organisations that take learning seriously will use the involvement of ULRs in a positive way. They may set up a learning committee or steering group involving employee representatives, union representatives, training and HR representatives and departmental representatives, where relevant. Together the employer and the trade unions can come to a "learning agreement" which formalises their commitment to learning. A learning agreement might include:

- The specification of the number of learning representatives and the amount of time off to which they are entitled
- The establishment of procedures for dealing with questions of time off
- Facilities available for use by union learning representatives
- The establishment of a joint learning committee
- The undertaking of learning needs surveys
- Regular promotional activities regarding learning
- The dissemination of information and learning opportunities

6.6 A model learning agreement can be found on the TUC's website www.tuc.org.uk

7. Overcoming Obstacles to Learning at Work

This section addresses some commonly cited reasons from both the individual and the employer against engaging in learning and development activity. ULRs have a significant role to play in overcoming many of these obstacles, as is illustrated in the case studies throughout this document.

8. Lack of Time

8.1 Many people feel too busy to take time out to reflect and learn. Part-time employees, shift workers and casual and temporary workers may have particular difficulty in getting time for training as they are likely to have family, caring or other commitments on their time.

8.2 However, people who do not engage in active learning at work find their skills soon get out of date, and they get overlooked for key projects, promotion and other benefits, thus compounding the problem.

8.3 There are many examples of training and development that can be undertaken in a flexible way so that busy people can learn at more convenient times, including online, blended or distance learning.

8.4 Employers can do a lot to support staff who are trying to juggle commitments outside work and who have limited time opportunities to study, by having flexible working arrangements. There are an increasing number of employers implementing work-life balance initiatives with clear success.

8.5 Education providers can work with staff and employers to become more flexible about when and where they provide learning support. Breakfast and after school clubs can help people with child caring commitments.

8.6 People who traditionally miss out on learning opportunities such as women, ethnic minorities and people who speak English as a second language, older people can be an untapped resource for an authority. Enabling these people to learn can help to address recruitment and retention problems, as well as developing the workforce more equitably. Including equality as a standard requirement in management development is good practice. This should cover non-discriminatory behaviour as well as statutory requirements and should link to the authority's progression through the equality scheme. Monitoring of access to learning by gender, ethnicity, grade is also good practice.

9. Cost/Lack of Money

9.1 Part 2 Para 3.2 states that, "Employees attending or undertaking required training are entitled to payment of normal earnings; all prescribed fees and other relevant expenses arising. Employees are also entitled to paid leave for the purpose of sitting for required examinations. When attending training courses outside contracted daily hours, part-time employees should be paid on the same basis as full-time employees. (Assistance for other forms of learning, for example that directed at individual development, will be locally determined). Qualification training can be expensive and authorities may require repayment of all or part of the costs incurred should an employee leave the authority before a reasonable time period has expired. The authority's policy in this regard should be made explicit."

9.2 Authorities need to look at the risks and pitfalls of not investing in their staff, and how this affects performance. They should look at the longer-term savings and efficiencies that can be made through workforce planning including:

- More efficient use of existing resources by using existing staff to coach and mentor others and using existing development opportunities such as secondments.

- Saving on recruitment costs by better staff retention and more efficient recruitment methods - online recruitment, joint recruitment and so on.

10. Fear of Learning

10.1 Sometimes individuals don't feel confident about returning to a learning environment. They may have had bad experiences of learning - perhaps at school. Others may have low levels of self-confidence and will worry about keeping up with others, or that they don't have the "right" qualifications or necessary skills.

10.2 Authorities should try to ensure that there is someone that people in this situation can talk to before the programme begins. They should ensure that the trainer(s) knows if any of the people have a special need, so that their needs can be built into the planning for the programme.

10.3 ULRs may be able to assist individuals to build confidence by assuring people that they can do it, providing information on the programmes in advance and by putting people in touch with others who have succeeded. They can help by using their experience and mentoring role to encourage both individuals and management. They can acknowledge different styles of learning and non-training learning. Evidence from the Campaign for Learning's Equal Project has proved that individuals, who are allowed to study non-work related subjects initially, become more motivated to learn other, work related, skills.

10.4 Training at work can sometimes be poor quality and irrelevant to an experienced workforce and this can lead people to feel that they don't want to bother with training. Badly managed change can leave a demoralised workforce reluctant to undertake training and development activities.

10.5 An important aspect of planning to overcome these obstacles is to ensure that the training and development activities result in direct benefits to the individual employee as well as the local authority. Training which leads to certification, new skills, and/or a more interesting way of doing the job is likely to be more attractive to demoralised workers than something that they think it just a "bums on seats" exercise.

10.6 Authorities should find champions who are keen learners from within the workforce to encourage others to attend. They should publish success stories in their authority's staff newsletter and involve Union Learning Representatives, in selling the benefits of training to people who feel that they do not need to learn more.

11. Lack of Information

ULRs can help by adding their knowledge of workforce issues to that of employers and managers. Managers may also need training in conducting appraisals and identifying development needs.

12. Fear That Staff Will Leave

12.1 Managers sometimes fear that if money is spent on training the workforce, they will leave and take the new skills with them. In practice it is employees who lack development opportunities who are more likely to leave.

12.2 A common plea from those who have had training is to be allowed to use their new skills in the workplace. If an employee can use the new skills they have acquired and feel valued for doing so, they are likely to be more motivated to stay with the employer.

12.3 Employers fear that their trained workforce will be "poached" by other organisations. This is something that is actually experienced by many authorities. Some employers have tried a "golden handcuffs" approach - requiring the employee to stay for a set period of time or pay the training fees back if they leave early. However, it might be more practical to try building a range of different options, to encourage staff to stay, into the workforce

development plan, such as career progression pathways and succession planning, secondment opportunities and good people management practices that make employees feel valued.

12.4 Organisations need to ensure that their approach to evaluation provides them with data on this aspect of the "return on investment", in order to establish whether it is really true that people leave, or just a myth. They need to check the organisation's turnover figures and consider - is there a high staff turnover, are there reasons for this, and are they being tackled?

13. In Summary

13.1 This NJC Guidance illustrates some of the action that can be taken to overcome obstacles to learning at work and workforce development. It is clear from the case studies that much can be achieved through strengthening partnership working between trade unions and employers with benefits to all concerned. The individual's life can be enriched, inequalities tackled and untapped skills and resources accessed. At the same time the employer benefits from having a skilled and professional workforce able to perform well and deliver improved services efficiently and effectively.

13.2 Many of the Regional Employer Organisations have a long history of providing training and development and there are discussions on workforce development at Provincial Council meetings.

Part 4.8: Annex A

Sources of Information

For more information about the workforce development agenda the following websites may be useful.

Local Government Association
http://www.local.gov.uk/

TUC Unionlearn
https://www.unionlearn.org.uk/

GMB - www.gmb.org.uk

UNISON - www.unison.org.uk

UNITE - www.unitetheunion.org

Department for Business Innovation and Skills -
www.gov.uk/government/organisations/department-for-business-innovation-skills

Skills Funding Agency -
www.gov.uk/government/organisations/skills-funding-agency

Campaign for Learning - www.campaign-for-learning.org.uk

Workers Education Association - www.wea.gov.uk

Chartered Institute of Personnel and Development - www.cipd.co.uk

Learndirect - www.learndirect.co.uk

Part 4.9: Pay & Grading Reviews

1. Overview

1.1 The 2004 national pay agreement required local authorities to carry out local pay and grading reviews to modernise their pay structures and remove discrimination in pay and conditions of service. Pay reviews are a means of ensuring that pay structures:

- are transparent and fair;
- remove artificial and outdated demarcations between groups of employees;
- provide equal pay for work of equal value;
- underpin service objectives; and
- motivate employees effectively.

1.2 The national agreement also requires councils to ensure that pay and grading systems continue to be fit for purpose and that no new areas of discrimination have crept into the system over time. No pay structure can ever be preserved in its original state because, for example, new jobs are created, existing jobs are revised, services are restructured and so forth. This note provides some guidance on the best ways to review and update the outcomes of earlier pay reviews.

1.3 It should also be recognised that as nothing lasts forever, of course, at some point in the future authorities will need to conduct new full pay reviews when further changes to pay structures become necessary. This guidance should be taken into account in preparing for such larger–scale reviews.

2. The Single Status Agreement

2.1 The 1997 Single Status Agreement stated that authorities should review their grading structures (Implementation Agreement paragraph 12.2).

2.2 In carrying out such reviews, authorities were required to ensure that they acted in accordance with equal pay legislation. The agreement states that "the pay and grading of jobs must be fair and non-discriminatory, complying with equal pay legislation and associated Codes of Practice" (Paragraph 5.1, Part 2). Currently, the relevant Codes are the Equality and Human Rights Commission (EHRC) Code of Practice on Equal Pay (2011) and the EHRC Code of Practice on Employment (2011). The former Code relates to equal pay between women and men but also indicates that pay systems may be open to challenge on grounds of race, age or other protected characteristics under the Act[2]. A core message in the Code is that a transparent, structured pay system based on sound, bias-free job evaluation is the most effective way of ensuing equal pay for equal work, and it recommends that employers regularly review and monitor their pay

[2] The protected characteristics under the Act are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

practices. The latter Code covers discrimination in employment including pay and benefits.

2.3 The Single Status Agreement recommended also that additional payments such as productivity or attendance allowances should be considered in any overall review of pay structures.

2.4 After a process of job ranking, the agreement highlighted the need for decisions on turning the rankings into a grading structure. Key areas for decisions were:

- where to fix the grade boundaries;
- whether to have incremental scales, fixed pay points, or both;
- how to deal with labour market additions.

2.5 The authority and the unions were also required to agree the terms on which there should be protection against loss of remuneration.

3. Requirements for a Successful Pay and Grading Review and Subsequent Updates

3.1 Pay and grading reviews and subsequent updates will require:

- **Partnership working**. The NJC believes that joint participation between management and trade unions is essential for the effective conduct of such reviews. This partnership approach should cover:

  => establishing common objectives for the review;
  => development of action plans for the review;
  => the design and conduct of the review; and
  => joint management-union training of participants in the review.

- **Top-level commitment**. Elected members, senior managers and trade union representatives need to have buy-in to the review to ensure that it is given the necessary priority and resources.

- **A steering group**. The establishment of a joint management-union steering group at the outset of the review will be central to its success (see Para 2.30 below).

- **Early planning**. The early development of a project plan for the review is essential to a successful outcome.

- **Project management**. Active project management will facilitate the completion of the review within timescales and allocated resources, and ensure that potential problems are quickly identified and resolved.

- **Adequate resources**. This will include both quantity (provision of resources/facilities for managers and trade unions involved in the review)

and quality (ensuring that the relevant people with the appropriate knowledge, skills and experience are involved).

- **Realistic timescales**. Timescales need to be sufficient to the task in hand and reflect the resources that are available - otherwise there is the risk that corners will be cut in the process to meet the deadlines.

- **Effective communication**. Ensuring that employees are kept fully informed of the objectives, progress and outcomes of the review are key considerations. This should be a joint responsibility of both management and trade unions (see below).

4. Communication with Employees

4.1 There should be good, regular communication with employees throughout the process of the pay and grading review on a regular basis. The intention should be to:

- ensure employees are aware of the planned process and likely timescales;
- dispel any lack of clarity that may arise on specific issues;
- encourage employee "buy-in" of the exercise;
- explain the more complex processes in a simple way;
- deal with frequently asked questions consistently and clearly;
- inform employees of detailed proposals once these have been finalised;
- emphasise the joint approach between management and the unions; and
- encourage openness and transparency.

4.2 Both parties will need to discuss what information should be shared and how widely, since the exercise is conducted jointly, with management and trade union representatives working together.

5. Reviewing and Updating Outcomes

5.1 Employers need to make a realistic assessment as to the potential financial implications of the outcomes of any review and updating of outcomes, and build these into their budget-planning process.

5.2 Implementation of the outcomes of any pay review may result in changes to job relativities in local authorities.

6. JOB EVALUATION IN THE CONTEXT OF PAY REVIEWS AND SUBSEQUENT UPDATES

6.1 Advantages of Job Evaluation

The NJC believes that the application of a properly designed and maintained analytical job evaluation scheme is the most effective tool for the development of a fair and transparent pay structure. The benefits of job evaluation include:

- it provides a fair, systematic and transparent method for assessing the relative value of jobs within the organisation;
- it can form the basis for the pay and grading system implemented by the organisation
- it can provide a defence to equal pay claims where the scheme is:

  => analytical i.e. it is factor-based;
  => thorough and impartial in both its design and implementation;
  => covers both claimant and comparator jobs; and
  => gender neutral
  => reliable in every other way

6.2 Once a sound job evaluation process has been embedded in an organisation's way of working it should form the best basis for ensuring the pay structure is fit-for-purpose.. (Section 9 gives further information on using the NJC scheme.)

7. Equal Pay Claims

7.1 Although there is no legal requirement to use job evaluation as a means of assessing whether women and men are doing equal work, the Equality Act 2010 gives a special role to job evaluation, in that an employer can use a non-discriminatory analytical job evaluation scheme as a defence against an equal pay claim. The NJC supports the Equality and Human Rights Commission advice that job evaluation provides the best means of eliminating discrimination from pay and grading structures.

7.2 Failure to use non-discriminatory, reliable job evaluation schemes increases the likelihood of potentially costly legal challenges. Where claims are lodged, applicants are entitled to seek compensation for loss of earnings equivalent to 'back-pay' of up to six years.

8. Choice of Job Evaluation Scheme

8.1 Although other job evaluation schemes are available for use by local authorities and related employers, the NJC believes that its scheme is the best available to meet their needs. The Local Government Pay Commission in its report of October 2003 made the following recommendation in respect of the national scheme:

"This presumption [that the NJC scheme will be used] should be retained but we also feel that more flexibility should be shown where the principles and safeguards which are found in the NJC scheme are demonstrably present in another scheme" (Chapter 5, Para 41).

Note: Although the Equal Pay Act 1970 has been replaced by the Equality Act 2010, this advice remains valid.

8.2 The Commission also recommended:

"…there should be an onus on an employer proposing to use a scheme other than the jointly designed NJC scheme to demonstrate as far as is reasonably possible that it is fit for the purpose in terms of its ability to cover all the jobs concerned and in terms of conformity to equality principles in design and implementation. If this is done then union representatives should not oppose its use (or insist on NJC scheme) on those grounds. We recommend that the Unions should give appropriate advice to this effect to local representatives. Such advice would be in keeping with the agreement" (Chapter 5 Para 43).

8.3 Where authorities and related employers use other schemes they will need to ensure that they meet the standards required for an equality-proofed job evaluation system and the principles of the NJC Scheme (see Technical Note 2).

9. The NJC Job Evaluation Scheme

9.1 The NJC job evaluation scheme was jointly developed to meet the needs of local authorities and can be used by related organisations. The scheme reflects the diversity of jobs within local authorities and related organisations and incorporates the principle of equal pay for work of equal value.

9.3 Following a review of the NJC scheme, the accompanying guidance and technical notes were updated in 2013/14 to take account of experience and developments in the years since they were first published. In particular, the updates clarify how the scheme applies to new types of jobs.(This information is available on www.local.gov.uk/workforce.) For quality assurance purposes, organisations should consult the revised guidance in carrying out pay reviews.. It is important to note that the scheme itself, the factors within it and the weightings of those factors have not been revised as the NJC review indicated no need for fundamental change.

9.4 The NJC scheme is a points-rated analytical scheme. The factor plan and weightings aim to be free from bias and discrimination on the grounds of the protected characteristics under the Equality Act 2010, for example, gender, race, disability and age. In developing the scheme the then Equal Opportunities Commission (EOC) and the Commission for Racial Equality (CRE) were consulted.

9.5 The NJC scheme has been designed for joint application by local authorities, related employers and their respective trade unions. The NJC Technical Notes give guidance on the main stages in the process of developing, implementing and maintaining job evaluation (see para. 9.3).

10. Using Two Job Evaluation Schemes

10.1 Under s.131(5) and (6) of the Equality Act 2010, a job evaluation scheme provides an employer with a defence against equal pay claims where the potential claimant(s) and comparator(s) are covered by the same scheme.

The Act does not provide this defence where the claimant and comparator are covered by different job evaluation schemes.

10.2 Where an organisation uses more than one scheme it could increase the risk of legal challenge, as well as presenting practical difficulties in application. The legal risk is likely to be greater the lower down in the pay structure that the cut-off point for the application of the schemes is set, as it is more likely to impact on jobs and grades which are predominantly filled by women.

10.3 An organisation that applies two schemes is likely to be faced with some or all of the following problems:

- it may be difficult to objectively justify by reference to the requirements of the organisation;
- determining where to place the cut-off/divide between the two schemes to ensure that they give similar rather than different outcomes; and
- designing and applying methods to test the evaluations of jobs within the boundary between the two schemes.

10.4 Consequently, local authorities and related organisations will reduce the risk of legal challenge if they use the NJC job evaluation scheme for all employees within the scope of the National Agreement.

10.5 In any event the organisation will need to undertake an equality impact assessment of the effect of the use of two schemes prior to implementation, and undertake regular equalities monitoring of the outcomes of the two schemes, for example, gender monitoring of jobs above and below the cut-off for the two schemes.

Representative Sample

10.6 The NJC believes that the job evaluation process within an authority could be achieved by:

- Restricting full job evaluation to a representative sample of posts (perhaps 20%, though this figure could be higher according to the range of jobs compared with the number of posts in a unitary authority, for example). In this instance it is important to ensure that the sample is:

  => reflective of the diversity of the local workforce, with particular regard to gender and ethnicity;
  => drawn from across all levels of the organisation structure;
  => typical of the range of jobs, functions and services found within the authority inclusive of all occupational groups including school-based employees; and
  => includes all potentially contentious jobs.

- Assessment of the remaining jobs by a process of factor comparison with the jobs which have been subject to full evaluation. This should:

=>be based on comprehensive job information, for example, a completed job description questionnaire; and
=> involve an objective assessment of the job information.

- Putting in place a robust review mechanism which enables the steering group to consider issues of principle before any individual appeals are undertaken.
- Undertaking an equality impact assessment of the outcomes.

10.7 This process, including, for example, the percentage and type of sample jobs, should be jointly considered and agreed by the steering group. For more information, see Technical Notes 3 and 4. It is important that the legal position is considered – see Technical Note 4.

11. PAY AND GRADING STRUCTURE

11.1 The development and maintenance of a pay and grading structure involves a number of tasks:

- producing a rank order of jobs through job evaluation;
- developing the pay and grading structure;
- carrying out pay modelling and costing the preferred option(s); and
- equality impact assessments.

11.2 In conducting reviews, organisations will need to:

- re-check the evaluations of a representative sample of jobs at all levels of the organisation and in all grades that are within the scope of the national agreement to ensure ongoing consistency;
- analyse the distribution of staff by protected characteristics, in all grades.

11.3 Reviews are most easily carried out if the original pay exercise included systems for regular monitoring. This is aided by the use of computerised job evaluation systems and pay modelling processes.

12. Equal Pay Audits and Equality Impact Assessments

12.1 It is important that any new pay structures and pay-related allowances are subject to thorough equality proofing and both parties are recommended to ensure that either an Equality Impact Assessment or Equal Pay Audit as specified in the Agreement is undertaken. This also ensures that organisations can show how their new pay structures were equality checked if this should become necessary. Further guidance is available on equality impact assessments at Part 4.11 and equal pay audits at Part 4.10.

13. Equality Support

13.1 Pay and grading reviews will inevitably include a range of equalities issues.

13.2 Authorities and trade unions should therefore ensure that there is quality expertise available to advise and assist the parties throughout the

development and implementation of the pay and grading structure, as well as on the application of job evaluation. If this expertise is not available internally, the NJC may be able to offer assistance (email info@local.gov.uk).

14. Refining Grading Structures

14.1 When conducting periodic reviews of their grading structures organisations should test the original structure to ensure it remains fit for purpose. The outcome could entail relatively minor or quite major changes for joint discussion. In these circumstances it will be useful to bear in mind the following guidance on developing grading structures.

14.2 The national pay spine provides a framework on which grading structures should be constructed. There are a number of issues that local parties will need to consider. These are discussed below.

15. Fixed Pay Points or Salary Scales?

15.1 A major issue for the parties will be to determine whether grades should be based on:

- fixed pay point ('spot') salaries, where each grade is associated with a single pay rate; or
- salary scales, consisting of several incremental pay points which allow for incremental progression.

15.2 The former approach was traditionally used for manual worker grades with the latter being the system applied for APT&C grades. There are potential advantages and disadvantages to each of these options for employer and employee. The most significant are:

Salary Scales **Advantages:** => they are capable of recognising extra skills and competency gained through experience; => they can motivate employees and improve morale; => they can be used as an aid to recruitment and retention.	**Fixed Pay Points** **Advantages:** => they establish the 'rate for the job' and are potentially the least discriminatory system; => they are simple to understand and transparent; => they are suitable for jobs having little scope for progression after the initial induction and training.
Disadvantages: => they are less transparent and more complex than spot salaries; => they may be more open to challenge on discriminatory grounds, especially if the	**Disadvantages:** => they do not reward additional expertise gained through experience in job; => they demotivate employees through lack of salary progression;

scale consists of a large number of increments.	=> if only used at certain levels within the grading structure (e.g. at the lower end), they may be perceived by the staff affected as not valuing these jobs.

15.3 In deciding between fixed pay points and salary scales, the local parties must ensure that their choice is not discriminatory. The Single Status Agreement allows for the application of either a fixed pay point or series of pay points. It also provides that where a common system for all employees is not adopted locally, there needs to be objective justification for any distinction between those jobs paid on scales and those which are paid on single pay points. This is likely to be particularly relevant where the fixed pay points are concentrated at the bottom of the new pay structure.

15.4 While it is possible to develop a grading structure which has a mix of fixed pay points and pay ranges, this option may increase the scope for discrimination where the jobs are dominated by a single sex, for example if fixed pay points are chosen for grades where the majority of staff are female. This could lead to a challenge on the basis that it is discriminatory unless the parties can demonstrate that the choice of fixed pay points for certain grades is objectively justified.

16. Broad Bands or Narrow Bands?

16.1 Broad bands with a wide range of points are generally associated with flatter organisational structures and may allow greater pay flexibility. They are most used where there is a wish to move away from automatic pay progression, as automatic progression within broad bands, consisting of multiple pay points, will be expensive over time. However, they are susceptible to challenge on discrimination grounds. This will require extra vigilance both through constant monitoring and the reviews recommended here. The Local Government Pay Commission in its report commented:

> “So-called 'broad-banding', where employees are grouped within very wide pay bands, has become popular in some organisations in recent years, including the civil service. But broad bands still remain uncommon and, where such structures have been introduced, sometimes problematic because of their apparent lack of transparency. There is now some movement back towards narrow salary ranges and this is supportive of non-discriminatory pay systems. The Commission supports a move away from long, service-based, incremental pay scales. This move would support greater gender equality and other rationales….” (Chapter 6, paras. 47 and 48).

16.2 Further information on broad banding is available on the EHRC website:

(http://www.equalityhumanrights.com/private-and-public-sector-guidance/employing-people/equal-pay/checklists-equal-pay-in-practice/19-high-risk-grading-and-pay-practices).

16.3 Narrow bands allow for more differentiation between jobs within the organisation, and place greater emphasis on expertise and experience. They are also more suitable for use with automatic progression.

16.4 One other aspect to consider is the use of grade scales with different numbers of incremental points. As with using a mixture of fixed pay points and salary scales (see above), using a mixture of grades with varying numbers of increments may increase the scope for discrimination where some grades are dominated by a single sex or another protected characteristic, such as race. To reduce the risk of legal challenge the parties would need to be able to demonstrate that the choice of grades with different numbers of incremental points is objectively justified.

17. How Many Grades?

17.1 There is no single solution to this question. The choice of the number of grades under a new grading structure will in part be determined by:

- whether the objective is to produce flatter organisational structures and more flexible pay arrangements;
- the choice between broad bands or narrow bands;
- the outcomes of the job evaluation exercise - the points distribution will in part inform the extent to which clear differences in job sizes can be identified.

18. Incremental Progression

18.1 Where grades consist of incremental points and are not spot salaries a decision will need to be made on the basis for progression within each grade. Experience has shown that authorities have used a range of options including progression based on:

- length of service;
- skills and competencies;
- contribution;
- performance; or
- a combination of all or some of the above.

18.2 Where length of service is used organisations should regularly review their practice to ensure that its use properly reflects its purpose. In many cases this will be to account for the experience and so improvement in work gained through length of service. In terms of potential age discrimination, the Equality Act 2010 specifically permits pay and benefits to be based on length of service up to a period of five years, after which the employer needs to

reasonably believe that further length of service progression fulfils a business need.

18.3 The Single Status Agreement provides the scope to introduce alternative arrangements in place of the traditional automatic progression based on length of service.

18.4 The Local Government Pay Commission recommended a move away from long, service-based incremental pay scales. It commented:

"Rather than seeing the issue of progression as service or contribution we suggest consideration should be given to a combination of a limited number of service related increments followed by some form of contribution based pay progression. This could include progression based on the acquisition of skills, competencies, qualifications etc. as appropriate. The complexity of local government suggests different approaches to progression may suit different authorities or even different groups of employees within individual authorities. However, the use of mixed approaches within an authority will need to be objectively justifiable from an equal pay perspective. If progression is on the basis of skills or competencies, attention will need to be paid to equality issues in their definition and to equality of opportunities to acquire and demonstrate them" (Chapter 6 para. 50).

18.5 Specifically, this means that pay progression systems based on, for example, contribution will require:

- objective, clear and relevant criteria against which the contribution will be measured;
- non-discriminatory and transparent processes of assessment by managers; and
- investment in training for managers and employees to create a 'level playing field' for all employees to achieve the required standards/criteria.

18.6 Equality impact assessment of proposals for progression and regular post-implementation equality monitoring will also be essential. Further information is available at Part 4.10 and 4.11.

19. Career Grades

19.1 'Career Grade' schemes provide a means of enabling progression within or through a grade structure or hierarchy. They are generally associated with professions or careers within which the acquisition of competence and skill adds to the employee's potential to contribute to the organisation. Employees are able to progress through a number of grades as they achieve specified attainment targets (usually attainment of formal qualifications or undertaking more responsible duties). Such schemes have been the subject of a number of successful equal pay claims. These have been the consequence of the level of work undertaken by individuals not matching their progression through the career grade.

19.2 A career grade may be viewed as a series of jobs with different levels of job demands and responsibilities, often requiring different knowledge and skill levels

19.3 To reduce the risk of legal challenges it is recommended that career grade schemes should:

- require the employees to undertake the level of duties and responsibilities commensurate with the grade being paid, not just be based on completion of training or attainment of a qualification to allow them to carry out such work;
- be available for all comparable groups, and not restricted to jobs dominated by one gender; and
- be operated in a consistent non-discriminatory way, especially if they are dominated by different genders.

19.4 Existing career grade schemes should be also be subject to equality impact assessments as part of the job evaluation process to ensure that they are non-discriminatory in design, operation and access.

19.5 Organisations should also undertake regular equalities monitoring of the schemes to ensure equality of access and of operation.

19.6 More detailed joint advice on skills pathways and career grade schemes is contained in Technical Note 7

20. Pay Modelling

20.1 The NJC recommends that organisations should make use of computerised pay modelling at an early stage in developing pay and grading structures. There are considerable advantages in having done so when looking to conduct reviews; the information needed is readily to hand and can be analysed with relative ease.

20.2 Two computer-based pay modelling packages are available for use with the NJC job evaluation scheme. The 'Link' pay modelling system is specifically designed for use with the NJC job evaluation scheme. Pilat also has a pay modelling system as part of the computerised version of the NJC scheme. Both systems need to be separately purchased under licence, and require training in their use that can be provided by the software providers, Pilat or Link. This training should be made available to both management and trade union representatives.

20.3 One of the major advantages of using a computer software-based package for pay modelling is that it allows the parties to test more easily a wide range of options for the pay and grading structure. For example, one unitary authority tested as many as thirty different approaches before choosing and successfully implementing the preferred option.

20.4 All pay and grading options considered as part of the modelling process should be subject to equality testing, for example, to ensure that grade boundaries are not drawn in such a way as to place jobs traditionally performed by women just below the points cut-off for the higher grade.

20.5 The parties will need to determine how to design a pay model that reflects the relationship between job evaluation points, NJC pay points and the grading structure.

20.6 One option is to construct a 'line of best fit' on a 'scattergram' plotting existing salaries against job evaluation scores. Plotting of job evaluation scores against current salaries can also be used to identify 'outlying' jobs that have historically been under or over-graded in the existing pay structure. These methods can be used to develop grade boundaries and pay rates, determine differentials and identify the number of posts that will be upgraded or downgraded under the proposed pay structure.

21. Establishing Grade Boundaries

21.1 In setting grade boundaries, authorities should seek to group jobs with similar (job evaluation) scores into one grade by drawing boundaries between clusters of jobs.

21.2 Where clear clusters and breaks are not obvious, authorities should avoid drawing boundaries in a way which results in women's jobs ending up in a different grade below that for men's jobs, despite having broadly similar scores.

21.3 The number and width of grades needs careful consideration and should be consistent. Very narrow grade bands may create pay differences which cannot be justified by the actual differences in scores or rankings. Relatively few but wider bands may provide scope for greater flexibility, but if they also result in significant differences in men's and women's position within the grade, these differences will need to be justifiable.

21.4 Overlapping pay scales raise the problem of individuals doing work of greater value than colleagues in the lower grade but potentially being paid less.

22. Pay and Grading Costs

22.1 The experience of pay and grading reviews in organisations that have completed them demonstrates that there will be additional paybill costs arising from implementation of the results. The costs of proposed structures will, therefore, be a major factor in the pay modelling process and subsequent negotiations on implementation.

22.2 Cost estimates should include a financial assessment of the impact over a number of years, including legitimate pay protection, and incremental progression to assess the full effect of the changes.

23. Other Pay Elements

23.1 It is essential that local pay and grading reviews include a review of all pay elements, including payments linked to performance, market supplements, premium payments and payments-in-kind. The Equality and Human Rights Commission checklist on benefits and equal pay contains information on the type of benefits as well as pay that should be included (see http://www.equalityhumanrights.com/private-and-public-sector-guidance/employing-people/equal-pay/checklists-equal-pay-in-practice/13-benefits-and-equal-pay).

24. Bonus Schemes

24.1 Bonus schemes have been seen as one of the major causes of equal pay litigation in local government and longstanding advice is that they should be avoided.

25. Market Supplements

25.1 Pay arrangements should generally be set at a level that will recruit and retain employees, minimising the need to use market pay supplements. However, there may be a small number of jobs for which it is not possible to recruit and/or retain employees at the job-evaluated rate, because of local or national shortages. In these circumstances it may be necessary to consider market supplement schemes. Such schemes should:

- be based on clearly evidenced recruitment and/or retention problems;
- have clear, transparent and fair criteria for the application of market supplements;
- ensure that market salary testing uses appropriate market comparators for the particular post(s);
- apply to existing as well as newly recruited postholders in the same job;
- ensure that the 'job evaluated' grade and any additional market supplement are clearly identified, shown as a separate allowance to the pay/grade determined by job evaluation, and understood by employees in receipt; and
- ensure that the contractual terms of future payments are sufficiently clear to enable the payments to be withdrawn if the 'market' changes.

25.2 Organisations should also undertake regular equalities monitoring with the trade unions of the outcomes of the application of market supplements, for example, gender monitoring for jobs in receipt of the payments.

25.3 Where market supplements are applied, they should be reviewed regularly to ensure that they are consistent with these criteria above. If current payments cannot be justified by reference to these criteria, these should be discontinued.

26. Premium and other Additional Payments

26.1 The local parties should carry out an equality impact assessment of any proposals for change in relation to premium and other additional payments. It should be noted that some payments, for example in respect of unsocial hours are likely to occur predominantly in occupations traditionally filled by women. Conversely, overtime payments are more likely to be paid in jobs occupied by men.

27. Other Benefits

27.1 The Equality Act 2010 covers not only pay, but also all contractual terms and conditions of employment including sickness benefits, annual leave and working time. An equal pay claim can be made on the basis of a comparison of any term in the employee's contract with the equivalent term in her/his comparator's contract (see EHRC checklist on benefits and equal pay http://www.equalityhumanrights.com/private-and-public-sector-guidance/employing-people/equal-pay/checklists-equal-pay-in-practice/13-benefits-and-equal-pay). Such comparisons are made on a term-by-term basis, rather than by taking the contract as a whole. Each element of remuneration should be considered separately: it is not sufficient to only compare total pay.

27.2 The main terms and conditions of employment were harmonised within the National Agreement, for example, the working week and annual leave. However, differences may still exist as a result of locally determined conditions of service, for example, additional leave for employees that is linked to grade. Any review of pay and grading structures should also incorporate an examination of other benefits to ensure they are non-discriminatory and that single status is implemented in full.

28. IMPLEMENTATION ISSUES

28.1 Pay Protection

28.2 The pay and grading review process may create different impacts on different occupational groups. In a limited number of cases downgrading may result from the removal of any anomalies found in the pay and grading system, where previous pay rates are above the revised rate for the job. In such cases pay protection may be in consideration. If so, legal advice should be taken on its use.

28.3 Protection arrangements must not perpetuate long-term unequal pay for jobs that have been assessed as of equal value under the job evaluation scheme. Such an outcome may lead to an equal pay claim. In order to avoid liability for such a claim the employer may ultimately need to justify the use of the protection arrangements, by showing its use is a proportionate means of achieving a legitimate aim. The Equality Act 2010 specifically provides that the long-term objective of reducing inequality between men and women's pay is a legitimate aim. The Employment Appeal Tribunal has however held that

protection cannot be justified if past sex discrimination in respect of the protection is recognised at the time the protection is implemented. Further, costs alone cannot be used to justify pay protection. Employment tribunals consider each case on its merits and are expected to take into account:

- whether the group(s) in receipt of pay protection are dominated by one gender;
- the length of time the personal protection arrangement has been in operation;
- whether the initial reason for the pay differential remains justifiable;
- whether employers acted in accordance with good industrial relations practices, taking into account amongst other factors the views of those in the same grade not gaining the benefit of pay protection; and
- that their actions were not based on any direct or indirect gender discrimination.

28.4 Consequently any protection arrangements dealing with past pay discrimination should be time-limited, with the aim of achieving pay equality as soon as possible. Pay protection should not apply to new employees.

29. Moving to the New Pay Structure

29.1 In equal pay terms, those who are upgraded under any revised structure should in most cases be moved immediately on to their new grade from the previous one, even where the pay difference is substantial. However, in a limited number of cases phasing in the package over a limited period may be in consideration. In these circumstances, the substantive grade may be achieved by a period of transitory arrangements, using accelerated increments for gainers. This raises many of the same issues as apply to the use of pay protection and therefore legal advice should be taken on any such proposal. In any event, should an organisation decide on phasing in it must ensure that any employees who have been upgraded as a result of the exercise understand that they will not gain their full entitlements immediately and know how and when they will move to their substantive grade. Trade unions will need to consult the individual members affected and ensure they understand and explicitly consent to the phasing proposal being implemented.

29.2 It is also important to ensure that any employees who have been graded lower or have lost money they previously received (such as a supplement) understand what they will lose and how it has come about, together with any protection arrangements that may have been agreed.

30. Sharing Information

30.1 At the conclusion of the pay and grading review process, the steering group should consider the sharing of job evaluation outcomes. Deciding not to share information can create unnecessary problems, and sometimes scepticism, because of perceptions about secrecy. It may also lead to protracted discussions that waste time and resources because such problems then have to be addressed.

30.2 To avoid unnecessary delays and difficulties, the NJC recommends that as much information as possible should be shared to keep employees informed about the process and any proposals that emerge. As a minimum, we recommend that the following information should be shared with the employee:

- the job information on which the job evaluation outcome is based;
- the rank order of jobs together with the points for each post should be published;
- individuals should know their own job evaluation outcomes; and
- (when the grade and salary structure is published) the job evaluation points should be included so all employees can see how grades have been designed and points allocated

31. Consulting on a Package

31.1 Once there is a definite proposal for a new or revised pay structure, there should be formal consultation in line with established local procedures. We recommend that this should be undertaken as a joint process wherever possible.

31.2 There is a responsibility on both employers and trade unions to be able to demonstrate that thorough, structured consultation has been undertaken and there is a legal obligation to publicise the full package openly and transparently.

31.3 The trade unions recommend that member consultation should be conducted through a ballot and employers will need to allow sufficient time and resources for this to be facilitated.

31.4 In some organisations there has been a jointly organised single ballot of all employees on the new package, with management and trade unions presenting the package together and asking employees to vote on whether they wish to accept it. The local parties will need to discuss the best way to consult and agree a way forward that best meets the local circumstances.

31.5 Employers and trade unions are advised to keep all documents and records relating to the consultation process so that it can be verified should there be any later challenge from employees or members.

32. Contractual Implications

32.1 Once the pay and grading review has been finalised the organisation should take the appropriate measures to incorporate the changes into individual contracts of employment. What these are will depend on the details of the individual contracts, for example, whether local collective agreements are automatically incorporated.

Part 4.10 Equal Pay Audits

1. Introduction

1.1 Many local authorities have completed a pay and grading exercise. For local authorities who have not completed this work it is recommended that;
Every local authority which has not yet done so should undertake a pay audit (pay and grading review) and develop an action plan for implementing a pay structure embodying the equal value principles required by the [Single Status Agreement] with objectives, a staged timetable and deadlines. This should form part of longer-term strategic plan for addressing any gender pay gap revealed by the pay audit, including occupational segregation. Chapter 5, paragraph 27, Local Government Pay Commission Report 2003]

1.2 Whether as part of preparation in working towards the implementation of single status or in the post implementation phase, equal pay audits can be used to determine to what extent an organisation is delivering equal pay. Furthermore, equal pay audits are a clear illustration of action taken to foster and embed equal pay within an organisation.

1.3 The NJC believes that it is important that employers and trade unions jointly undertake Equal Pay Audits (EPAs) in the spirit of partnership working. Both management and unions should be jointly involved in the process from the outset.

1.4 Set out in this circular is advice on the conduct of Equal Pay Audits (EPAs), including:

- what an EPA is;
- why organisations should undertake them;
- their scope and coverage; and
- how to resource and carry them out.

1.5 This section should be read in conjunction with other joint advice at Part 4.9 and Part 4.11.

2. What is an Equal Pay Audit?

2.1 An equal pay audit examines a specific area of equality risk relating to discrimination in employment; that of the potential for unequal pay for work of equal value. This involves comparing the pay of groups with relevant protected characteristics as identified in the Equality Act 2010 who are doing equal work in the organisation; investigating the causes of any pay gaps by (for example) gender, ethnicity, disability or part or full-time status; and planning to close any gaps that cannot be justified on legitimate grounds.

2.2 An EPA is therefore an effective diagnostic tool that will enable employers to check their current status on progress towards, or the maintenance of, equal pay for equal work for all employees. It should be an integral part of any local pay and grading reviews.

2.3 EPAs should be undertaken across the organisation at regular intervals, ideally annually. Regular audits enable organisations to monitor progress in embedding equal pay and to detect any new significant pay differences at an early stage.

2.4. The 'focus of an equal pay audit is on 'systemic' inequality in pay – identifying and resolving gaps in average pay between groups of men and women, between people from different ethnic groups and other protected groups. Its prime purpose is to explore whether pay policies or practices, past or current, have systematically disadvantaged any particular group' (EHRC Equal Pay Toolkit)

3. The Case for Equal Pay Audits

3.1 The Equality Act 2010 (the Act) gives women and men the right to equal pay for equal work and under section 78 of the Act, employers with 250 or more staff will soon be required to publish gender pay gap information. Further, carrying out and publishing the results of the EPA will help public bodies demonstrate they are complying with their specific Public Sector Equality Duty publishing information relating to the protected characteristics of their employees. Further information on that duty is available on the EHRC website.

3.2 An EPA permits organisations to have a high level of confidence that they comply with equality law and well established equal pay practice through the detection, interpretation and removal, of indefensible pay gaps. This enables organisations to be confident that they have sound, equitable and clear pay and grading arrangements in place. As a result, organisations are able to send a clear message that the organisation is committed to pay equality.

4. The Equality and Human Rights Commission (EHRC) Equal Pay Audit Toolkit

4.1 The EHRC has produced a toolkit to assist employers in undertaking equal pay reviews. The model recommended by the EHRC consists of five steps:

Step 1 - Decide the scope of the audit and identify the information required
Step 2 - Determine where men and women (and other employees in protected groups) are doing equal work
Step 3 - Collect and compare pay data to identify any significant pay inequalities between roles of equal value
Step 4 - Establish the causes of any significant pay inequalities and assess the reasons for them. **Step 5 -** Develop an equal pay action plan to remedy an direct or indirect pay discrimination.

4.2 The NJC recommends the use of the EHRC toolkit. It provides authoritative and detailed guidance on how to conduct an EPA and what needs to be done at each stage. See http://www.equalityhumanrights.com/private-and-public-sector-guidance/employing-people/managing-workers/equal-pay/equal-pay-audit-toolkitfor further details.

5. Step 1 - Scope of an EPA and identification of information required

5.1 A full EPA should encompass all employers who are in the "same employment" for the purposes of the equal pay provisions of the Equality Act 2010. What is "same employment" is a complex area of law but generally speaking when doing an EPA exercise, best practice may be to assume that all employees employed by the same employer or by associated employers are in the same employment. Employers are associated if one directly or indirectly controls the other or if a third person directly or indirectly controls both. For example, where an authority has majority ownership of an arms-length organisation (ALMO) and so controls it, the authority and the ALMO will be associated employers.

5.2 To be able to interrogate pay with regard to protected characteristics such as gender, age, ethnicity and disability, information must be available for all, or certainly most, of the employees covered by the EPA. This will encompass a range of information about all of those included employees and how their pay is constituted. The data should cover all elements of pay as well as the personal characteristics of each employee such as gender, ethnicity, disability, post, salary/grade, hours worked, working patterns, length of service, and benefits.

5.3. Due consideration should be given to issues of data protection and where necessary, advice sought to ensure legal obligations are satisfied.

5.4 The quality of the data is of paramount importance. The quality of the EPA outputs will bear a direct correlation to the quality of the data input. A data cleansing exercise would be advantageous at this stage. Due consideration should also be given to how the data is to be assembled especially where multiple IT systems are involved.

6. Step 2 Determine where men and women employees are doing equal work

6.1 EPAs involve making a comparison of the pay of women and men (and other groups with protected characteristics) who are undertaking equal work. 'Equal work' is a catch-all expression for three equal pay elements set out in the Equality Act 2010:

1. *Like work* whereby men and women are undertaking work which is either the same or broadly similar
2. *Work rated as equivalent* whereby men and women have had their jobs rated as equivalent through the application of an analytical job evaluation scheme such as the NJC JES. *Work of equal value wher*eby the work undertaken by men and women is different but is of equal value with regard to factors such as skill, *effort a*nd decision-making. .

6.2 In local government, the standard means of establishing whether or not work is of equal value is to undertake a job evaluation exercise and the NJC JE

scheme is the recommended tool for all jobs within scope. Detailed advice and guidance on how to conduct a job evaluation exercise is at Part 4.9.

7. Step 3 - Collect and compare pay data to identify any significant equal pay differences.

7.1 The basic employee information that will be required for an EPA will include:

1. occupational group
2. department/service
3. protected characteristics
4. grade (job evaluation outcomes)
5. basic pay
6. total pay
7. normal/standard hours worked
8. additional (overtime) hours worked

7.2 In addition to the basic information outlined above, the parties will also need access to a range of related data to enable the analysis of the possible reasons for pay differences between male and female employees undertaking equal work.

- access to other pay elements (and amounts received) including:

=> => performance and/or contribution pay
=> competency based pay
=> overtime
=> market pay supplements
=> unsocial/shift payments/call out and standby
=> allowances
=> pay protection

- access to non-pay benefits, including:

=> car allowances or lease cars
=> loans
=> telephone allowances
=> travel expenses
=> childcare vouchers

- policies and procedures affecting entitlements including:

=> pay entry points
=> pay progression arrangements
=> promotion policies
=> job transfers
=> acting up, honoraria and secondments
=> long service increments and awards
=> employee appraisal schemes

7.3 In conjunction with the job evaluation outcomes this will enable the parties to identify any gender-based differences in pay for employees undertaking equal work. Where any such pay gaps are identified then the reasons for them can then be analysed.

8. **Step 4** - Establish the causes of any significant pay inequalities and decide whether the reasons for them are free from discrimination

8.1 If the EPA produces statistical evidence that there may be significant differences between the average basic pay and average earnings of protected groups undertaking equal work, then the elements of the organisational pay and reward systems that are driving this need to be identified. The Toolkit gives guidance on what constitutes statistically significant equal pay differences.

8.2 It is important that the parties should check not only the policies and procedures determining basic pay (and additions to pay) but also the practical implementation of these by line managers, payroll and human resources staff.

8.3 The parties undertaking the EPA should map the frequency of men and women in particular job types and pay bands to assess the extent of occupational segregation (the tendency for men and women to be employed in different occupations from each other across the entire spectrum of occupations).

8.4 Pay information for men and women doing equal work is compared by calculating average basic pay and average total earnings and comparing access to and amounts received of each element in the pay package. Average ('mean') pay and earnings is usually calculated on a full-time equivalent (FTE) basis.

8.5 According to the EHRC, he most frequently occurring elements underpinning significant pay gaps are:

- starting salary,
- length of service,
- pay progression criteria (incremental pay),
- pay protection,
- market forces/recruitment and retention
- performance related factors

In the local government world TUPE requirements may be another factor.

Other potential causes of significant pay gaps include:

- non-pay benefits,
- working time premia,
- poorly maintained job evaluation systems and processes,
- the use of non-analytical job evaluation schemes,

- the use of job evaluation schemes that have not been equality proofed,
- the use of more than one job evaluation scheme,
- discriminatory grade structures (where progression is gender dominated for example),
- occupational segregation
- lack of opportunity to access part-time hours

At this point, if a pay gap has been identified, that pay gap can be assessed as to whether it is discriminatory, and whether the cause of the pay gap would amount to a justification in law. Legal advice may be necessary at this juncture. If the pay gap needs to be closed then an action plan should be devised to achieve this.

9. Step 5 Developing an Action Plan and continuing to audit and monitor pay

9.1 An EPA may reveal that there are no pay gaps of significance in which case organisations should continue to review and monitor pay policies and practices to maintain and protect the position.

Any differences in pay between male and female employees undertaking equal work should ultimately be capable of being objectively justified. If this is difficult to establish and document, then the likelihood is that there is a potential equal pay issue. In such circumstances the parties will need to work together to develop an action plan to deal with the root cause. The action plan may encompass some or all of the following actions;

1. Deliver equal pay; pay gaps in respect of protected characteristics that have no underpinning and defensible justification should be addressed as soon as possible.
2. Revise the pay policies, systems and procedures that are causing unequal pay. This may encompass pay and grading arrangements, the consistent application of job evaluation, the content, effect and implementation of HR policy and procedures relating to pay and reward, fair access to pay and non-pay benefits, improvements in access to training and development to, for example, address occupational segregation, and flexible working arrangements for employees with caring obligations.
3. Create, publish and implement an Equal Pay policy that binds the organisation to delivering and maintaining equal pay
4. Introduce ongoing review and monitoring of pay outcomes by protected groups
5. Consider whether wider organisational practices are affecting equal pay. This might include recruitment, succession planning, and training and development

9.2 It is possible that detailed analysis may identify a number of significant pay differences between men and women undertaking equal work. It may not be practicable to resolve all of these immediately – the priority should be on rectifying any differences which could entail direct discrimination or (as is

more likely) indirect discrimination, over which there may be concerns, as to objective justification. .

9.3 Action plans should include:

- a risk assessment of any delay in addressing the problem. Equality Impact Assessments (EIAs) are essentially a form of risk assessment. By carrying out an EIA before proposals are finalised, the organisation is likely to avoid introducing policies or procedures which could turn out later to have a negative impact and/or to be indirectly discriminatory);

- the measures to be taken to address the problem (these proposals should be subject to an EIA– see Part 4.11 for more information);
- the timetable for completion of the process;

- the officer(s) accountable for ensuring effective implementation of the measures;

- post-implementation monitoring and review arrangements.

9.4 Where appropriate action plans should also be drawn up to improve the collection and monitoring of pay and benefits data to facilitate future EPAs.

Useful Reference Documents

Equality and Human Rights Commission: Equal Pay Toolkit
http://www.equalityhumanrights.com/private-and-public-sector-guidance/employing-people/managing-workers/equal-pay/equal-pay-audit-toolkit

Local Government Services Job Evaluation Scheme Technical Note10: Mainstreaming Job Evaluation

Equality and Human Rights Commission: Equality Act 2010 Code of Practice: Equal Pay: Statutory Code of Practice (2011)

Equality Act 2010

Small Business, Enterprise and Employment Act 2015

Part 4.11: Equality Impact Assessments (EIAs)

1. Introduction

1.1 The 2004 NJC Implementation Agreement required authorities to include 'an Equality Impact Assessment of proposed changes to grading and pay and other conditions' in their local pay and grading reviews. The 2004 agreement also required authorities to carry out EIAs of any proposed changes to Part 3 working arrangements.

1.2 The NJC believes that undertaking EIAs is essential to ensuring that new proposals:

- are not directly or indirectly discriminatory; and
- actively take on board equalities considerations in their development.

1.3 The NJC strongly advises that it is good practice overall to conduct EIAs for all proposed changes which impact on employment and pay and conditions on an ongoing basis. It is particularly important that EIAs are carried out ahead of any savings proposals, reorganisations, shared services, redundancies or other restructuring proposals.

1.4 The NJC believes that it is important that both local authorities and trade unions jointly undertake EIAs in the spirit of partnership working. Both management and unions should be jointly involved in the process from the outset.

1.5 This guidance deals with carrying out EIAs on proposals which impact on employment and pay and conditions in local government. These will include specific proposals on changes to employment and pay and conditions and changes made for other reasons (for example, to implement Government requirements, restructuring, commissioning) that in effect change pay, conditions or other working arrangements.

1.6 Advice is set out on the conduct of EIAs, including:

- What an EIA is;
- Equality responsibilities
- Commissioning and procurement;
- Who should be covered;
- The key stages involved; and
- What an EIA in relation to pay related terms and conditions entails.

1.7 This section should be read in conjunction with other joint advice at Part 4.9 and Part 4.10.

2. What is an Equality Impact Assessment (EIA)?

2.1 An EIA is an analysis of a proposed change to an organisational policy to determine whether it has a disparate impact on groups with relevant protected

characteristics as identified in the Equality Act 2010. It applies both to external policies (i.e. those having an impact on customers or clients of an organisation) and to internal policies (i.e. those affecting the organisation's employees).

2.2 Disparate impact suggests that a protected group is likely to be affected differently by a proposal – negatively or positively. An impact that is adverse, but not on equality grounds, would normally be dealt with as a collective bargaining issue.

2.3 EIAs are essentially a form of risk assessment. By carrying out an EIA before proposals are finalised, an authority is likely to avoid introducing policies or procedures that could turn out later to have a negative impact and/or to be indirectly discriminatory.

3. Equality Responsibilities

Public Sector Equality Duty

3.1 The 2010 Equality Act introduced a General Public Sector Equality Duty. The General Equality Duty (GED) requires authorities in the exercise of their functions to have 'due' regard to the need to:

- Eliminate unlawful discrimination, harassment, victimisation and other conduct prohibited by the Act;
- Advance equality of opportunity between persons who share a relevant protected characteristic and those who do not; and
- Foster good relations between persons who share a relevant protected characteristic and persons who do not**.**

3.2 The specific Equality Duties for Wales still require authorities to assess the likely impact of their activities. For England there is no longer a specific obligation to impact assess. However the NJC believes that assessing the equality impacts of any policies, procedures and proposals remains the most reliable way of demonstrating that equality issues relating to people with protected characteristics have been given 'due regard' prior to a change.

3.3 The NJC therefore recommends authorities continue to carry out some form of robust impact assessment or analysis to demonstrate compliance with the General Equality Duty and the EIA methodology provides the best evidence to demonstrate this. Carrying out and acting on robust EIAs will help authorities avoid making poor and unfair decisions that could discriminate. By getting it right first time authorities will stand to save time and money – particularly if they face legal challenges for getting it wrong. The methodology ensures decisions are transparent and evidence based and consistent with transparent decision-making and good governance.

3.4 The Equality and Human Rights Commission (EHRC) takes the view that analysis of the effect of existing and new policies and practices on equality is an important part of complying with the General Equality Duty (GED) in the

Equality Act 2010. Aside from the GED organisations have obligations under employment related sections of the Equality Act and other employment legislation not to discriminate and EIAs are a key method to test whether policies and practices (proposed and implemented) could directly or indirectly discriminate.

The Equality Framework for Local Government

3.5 The Equality Framework for Local Government is designed to help English authorities deliver the Public Sector Equality Duty. Equality analysis/impact assessments are an essential part in meeting the levels of achievement. Where it integrates equality policies and objectives with existing programmes and initiatives, the National Assembly for Wales also supports the Equality Framework.

3.6 Authorities in Northern Ireland have specific statutory responsibilities in respect of equality impact assessments under the Northern Ireland Act 1998. Northern Ireland authorities should read this joint advice in the context of these statutory responsibilities.

4. Commissioning and Procurement

4.1 The GED continues to apply to authorities when they are commissioning or procuring services. In additional the GED applies to contractors in terms of any public function they carry out. A public function is defined in the Equality Act 2010 as a function of a public nature for the purposes of the Human Rights Act 1998, and an example would be care services run by a contractor on behalf of a local authority.

4.2 The NJC therefore expects both profit making and non-profit making organisations exercising public functions to abide by the GED in relation to those functions. As service providers and employers they should have robust equality policies and practices in place and demonstrate how they were meeting or proposed to meet the GED as well as their obligations as employers in respect of equal pay. Contractors who are delivering services on behalf of an authority should be asked how they intend to comply with the GED to an extent that is relevant and proportionate.

Guidance on what is a public function is available on the EHRC website [link: http://www.equalityhumanrights.com/publication/essential-guide-public-sector-equality-duty-0]

5. Who Should be Covered?

5.1 EIAs should be used to assess the relative impact of proposals on the terms and conditions with respect to:

- Age
- Disability
- Gender reassignment

- Marriage and civil partnership
- Pregnancy and maternity
- Race
- Religion or belief
- Sex
- Sexual orientation
- Main occupational groups/part-time staff.

5.2 The first nine are protected characteristics under the 2010 Equality Act. Authorities should also consider whether proposed changes will disproportionately affect occupational groups which are predominantly part-time workers, as they may result in indirect gender discrimination and less favourable treatment under the Part-time Workers (Prevention of Less Favourable Treatment) Regulations 2000.

5.3 Some employers may not have detailed pay information on all the protected characteristics, which may limit their ability to carry out a comprehensive EIA. Where this is the case, they should establish systems which will enable them to carry out an improved analysis.

6. Carrying out an Equality Impact Assessment

6.1 EIAs do not have to be an onerous process and the volume of the work required will depend on the size of the organisation. However, in all cases they all need good information, consultation with trade unions and service users and require staff with the skills to analyse the implications for equality.

6.2 A preliminary screening is useful to decide if a full impact assessment is needed. This should look at the aims of the policy or practice and existing evidence. Even if there is little data, action may be required.

The screening should consider if:

- The policy is a major one in terms of scale or significance for the authority's activities.

- Or even if the policy is a minor one in terms of scale or significance it may have a major impact on equalities. A policy which has an extremely negative impact on a small number of people is more important than one with a minor impact on larger number of people.

The NJC considers HR policies/proposals to change pay and conditions or service delivery and working methods will be high priorities for full impact assessing.

6.3 A full impact assessment should involve the organisation:

- Considering available data and research, consulting on the policy; and assessing its impact.

- Considering measures which might mitigate any adverse impact and alternative policies.
- Arriving at a decision. If the proposal would lead to unlawful direct discrimination it must be abandoned straightaway and different ways of achieving the policy looked for. If the proposal could lead to unlawful indirect discrimination, the organisation should look for different ways of achieving its aims.
- If an organisation decides the potential for indirectly discriminating against some groups is justifiable, it would be well advised to seek legal advice on the question of justifiability. This is a complex area of law.
- Agreeing and publishing/formally recording the decision on proposal/policy with justification (if required), including the relative weight given to the evidence and the reasons for the decision.
- Making arrangements for jointly monitoring and evaluating the policy and its impact as part of regular audits.

7. What an EIA in relation to pay-related terms and conditions entails

7.1 The NJC endorses the EHRC guidance that an EIA in relation to pay is a statistical analysis of an organisation's proposal to change one or more aspects of its grading and pay structures, with potential impact on one or more groups of its employees.

7.2 An EIA in relation to pay policies involves:

- Comparing pay data from the old and proposed new pay structures in order to determine the impact of the proposals in relation to protected groups.
- Reviewing proposed changes in grading and pay structures and changes to other terms and conditions to identify if the proposals affect any protected groups differently.
- Deciding whether any disparate impact is justified and if not amending the proposals.
- Agreeing an action plan to eliminate any outstanding pay differences in relation to protected groups.

7.3 The principles and techniques for an equal pay audit are equally applicable to carrying out an EIA on proposals to change pay policies, especially new grading and pay structures. The EHRC Equal Pay Audit toolkit is a guide on carrying out an equal pay audit and includes advice on conducting EIAs in relation to pay. The NJC recommends authorities use the EHRC toolkit for carrying out EIAs on pay.

The EHRC toolkit has six steps for carrying out an EIA on pay – see http://www.equalityhumanrights.com/private-and-public-sector-guidance/employing-people/equal-pay/equality-impact-assessments

This section flags up the key issues covered in the six steps.

7.4 **Step 1** – Deciding the Scope of an Equality Impact Assessment and assembling data

This step considers:

- Who should be covered
- Scope of assessment
- Who should be involved in the assessment
- Data
- Frequency tables

The NJC considers it vital that EIAs have top level commitment and buy-in to ensure they are given sufficient priority and resources.

The toolkit also sets out under this step how the data for the EIA could be assembled and recommends this is in spreadsheet form to include every individual employee covered by the proposals.

Attached is an NJC template setting out how this information could be presented.

Step 2 – Calculating Average Basic Pay and Identifying Pay Gaps

The toolkit sets out what is equal work and provides a useful pay structure table to use to calculate gender related pay gaps and a worked example.

Step 3 – Supplementary Checks

The toolkit sets out useful supplementary checks in relation to analysis of basic pay; green, red and white circles; and proposed grade boundaries. A grade boundaries checklist is included in the toolkit. An NJC template on how to analyse green, white and red circles is attached.

Step 4 – Reviewing pay policies

The toolkit has checklists to check new or changed pay policies on:

- Job evaluation system, design and implementation
- Starting salaries, pay progression and pay protection
- Performance, competence related pay
- Market factors payments
- Equal pay policy

Step 5 – Reviewing other proposed changes

The toolkit makes it clear that changes to other pay-related terms and conditions should be impact assessed. These include working pattern payments (such as shift premium payments, unsocial hours payments, overtime, standby and call out) and other benefits such as car and travel allowances.

The toolkit sets out the methodology to identify those affected by proposed changes and signposts checklists on working time payments and benefits.

Step 6 - Reviewing proposals and creating an action plan

The toolkit sets out what an action plan should include and arrangements for monitoring and review. The EIA should set out the officer(s) accountable for ensuring effective implementation of the measures and review.

8. Templates

8.1 The following model templates are attached to help employers collect and analyse pay information for an EIA:

1. EIA Summary Form
2. Pay information for an EIA
3. Average pay for both genders for each current and proposed grade – excluding protection
4. Average pay for both genders for each current and proposed grade – including protection
5. Green, white and red circles analysis
6. Terms and conditions analysis

9. Further Reading

EHRC toolkit
www.equalityhumanrights.com/private-and-public-sector-guidance/employing-people/equal-pay/equality-impact-assessments

Public Sector Equality Duties and Financial Decisions: An Advice Note for Public Authorities

www.equalityhumanrights.com/private-and-public-sector-guidance/public-sector-providers/making-fair-financial-decisions

Using the Equality Duties to make Fair Financial decisions

www.equalityhumanrights.com/publication/making-fair-financial-decisions-guidance-decision-makers

Guidance on Procurement

www.equalityhumanrights.com/private-and-public-sector-guidance/public-sector-providers/guidance-procurement

www.gov.uk/government/publications/procurement-policy-note-01-13-public-sector-equality-duty

Template 1: Equality Impact Assessment Summary Form

Directorate:

Assistant Director/Director:

Lead Officer:

Name of policy/function/project/service area to be assessed:

Brief description of proposal to be assessed:

Date of assessment:	**Person responsible for completing the assessment**: **Contact Details:**

Brief description of the anticipated outcomes of the proposal:

Provision	Current Arrangement	Proposed Arrangement	Comment

Impact Summarise any positive impacts or benefits, any negative impacts (i.e. potential for discrimination, disadvantage or disproportionate treatment) and any neutral impacts and the evidence you have taken into account to reach this conclusion. Be aware that there may be positive, negative and neutral impacts within each characteristic. Where an impact is unknown, state so, and identify what steps will be taken to address any gaps in data:
Consideration of Alternatives Describe what alternatives have been considered and/or what actions will be taken to remove or minimise any potential negative effect identified above (attach evidence or provide link to appropriate data, reports, etc):
Consultation Brief description of any consultation with stakeholders and summarise how it has influenced the proposal. Please attach evidence or provide link to appropriate data or reports:
Monitoring Arrangements Briefly describe the monitoring arrangements/systems that will be put in place to monitor the effects of this proposal:
Reporting and Publication Where will this Equality Impact Assessment be published and reported? **Date:**
Proposed implementation date of project/proposal: **Funding considerations:**

Approved by (Assistant Director/Director):

Date:

Equal Opportunities Service Use Only

Date of Feedback:

Date of publication:

Template 2 Pay Information for EIA																								
Name and Type of Local Authority	Job ID	Job Title	Gender	Curr FTE Basic £ pa	Bonus	Market Supp	Other Allowances excl O/T etc	Curr FTE Total Package £ pa	Curr Spinal Column Point	Curr Spinal Column Point Max	Curr Grade Max £ pa	Curr Grade	Prop FTE Basic £ pa	Bonus	Market Supp	Other Allowances excl O/T etc	Prop FTE Total Package £ pa	Prop Spinal Column Point	Prop Spinal Column Point Max	Prop Grade Min £ pa	Prop Grade Max £ pa	Prop Grade	JE Points Score	Weekly Hours

TEMPLATE 3 - AVERAGE PAY FOR BOTH GENDERS FOR EACH CURRENT AND PROPOSED GRADE

The column headed (A) Salary sets out female earnings as a percentage of male earnings.

The column headed (B) Salary sets out the impact of the proposed new grading and pay structure

TABLE: ANALYSIS OF CURRENT AND PROPOSED BASIC PAY BY JE POINTS RANGE (EXCLUDING PROTECTED PAYMENTS AND OTHER ADDITIONAL)

Grade	No		Current Average	Current Average	(A) Salary		Proposed Average	Proposed Average	(B) Salary
	M	F	M (£)	F (£)	Women's pay as a % of men's pay		M (£)	F(£)	Women's pay as a % of men's pay
1									
2									
3									
4									
5									
6									
7									
8									
9									

Add other grades

TEMPLATE 4 - AVERAGE PAY FOR BOTH GENDERS FOR EACH CURRENT AND PROPOSED GRADE

The column headed (A) Salary sets out female earnings as a percentage of male earnings.

The column headed (B) Salary sets out the impact of the proposed new grading and pay structure

TABLE: ANALYSIS OF CURRENT AND PROPOSED PAY BY JE POINTS RANGE (INCLUDING PROTECTED AND OTHER ADDITIONAL PAYMENTS)

Band	No		Current Average FTE	Current Average FTE	Proposed Average FTE	Proposed Average	No men in receipt of bonus	No women in receipt of bonus	Current average bonus men	Current average bonus women
	M	F	M (£)	F (£)	M (£)	F (£)				
1										
2										
3										
4										
5										
6										
7										
8										
9										

Add other grades

Template 5 Analysis of Green, White and Red Circles														
GRADE	JOB ID	JOB TITLE	JE SCORE	TOTAL NO	MALE			FEMALE						
					GREEN	WHITE	RED	GREEN	WHITE	RED	GREEN	RED	GREEN	RED
1														
1														
1														
1														
1														
1														
1														
1														
1														
1														
1														
etc														
Total														
2														
2														
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etc														
Total														
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3														
3														
3														
3														
3														
3														
etc														
Total														

TEMPLATE 6 EQUALITY IMPACT ASSESSMENT OF TERMS AND CONDITIONS

Analysis of current and proposed changes to terms and conditions e.g. hours, weekend allowances, car allowances, annual leave, pre existing market supplements other allowances (* but excluding any protected payments) Assume that the same working patterns are followed

Description of old term and condition	Description of new term and condition	No of men affected	No of women affected	Average old payment for men	Average old payment - women	Women's pay as a % of men's pay	*Average new payment for men	*Average new payment for women	Women's pay as a % of men's pay	Justification for difference
		M	F	M(£)	F (£)	Ratio F/M	M (£)	F(£)	Ratio F/M	

SCP	1 April 1997	1 April 1998
1	[£7,008]	*deleted*
2	[£7,422]	[£7,644]
3	[£7,929]	[£8,166]
4	£8,133	£8,376
5	£8,427	£8,679
6	£8,721	£8,982
7	£9,015	£9,285
8	£9,309	£9,588
9	£9,603	£9,891
10	£9,810	£10,104
11	£10,449	£10,761
12	£10,668	£10,989
13	£10,953	£11,283
14	£11,157	£11,493
15	£11,388	£11,730
16	£11,658	£12,009
17	£11,937	£12,294
18	£12,171	£12,537
19	£12,630	£13,008
20	£13,086	£13,479
21	£13,563	£13,971
22	£13,920	£14,337
23	£14,325	£14,754
24	£14,796	£15,240
25	£15,264	£15,723
26	£15,759	£16,233
27	£16,281	£16,770
28	£16,815	£17,319
29	£17,481	£18,006
30	£18,066	£18,609
31	£18,636	£19,194
32	£19,185	£19,761
33	£19,752	£20,346
34	£20,313	£20,922
35	£20,736	£21,357
36	£21,285	£21,924
37	£21,885	£22,542
38	£22,524	£23,199
39	£23,259	£23,958
40	£23,877	£24,594
41	£24,510	£25,245
42	£25,131	£25,884
43	£25,761	£26,535
44	£26,391	£27,183
45	£26,982	£27,792
46	£27,636	£28,464
47	£28,269	£29,118
48	£28,896	£29,763
49	£29,520	£30,405

Notes 1997

[xxxx] salaries are protected for existing employees. Entry point in pay spine for new employees after 1 April 1997 is SCP4.

SCP1 is for existing 16 year olds and SCP2 is for existing 17 year olds. After 1 April 1997 when 16 and 17 year olds are not fulfilling the full duties of substantive posts, locally determined rates will apply.

Notes 1998
It was agreed in 1997 that SCPs 1-3 were only applicable to employees in post at the time and assimilated to those points under the assimilation table in Circular 1/97 dated 14 July 1997. Since all those who were assimilated to SCP1 last year will now have progressed to at least SCP2, SCP1 has been deleted from the spine with effect from 1 April 1998. SCP2 will then be deleted next year and SCP3 in 2000. Locally determined rates will apply for 16 and 17 year olds not fulfilling the full duties of substantive posts.

RATES OF PROTECTED ALLOWANCES AT 1 APRIL 1997

Former APT&C Agreement (Purple Book)

Paragraph 28(3) Nursery Staffs in Educational Establishments	
Special Educational Needs Allowance	£834
Paragraph 28(10) Staff in Residential Homes	
Sleeping in Duty Payments 10(c)(iv)	£23.37
Paragraph 28(14) Laboratory / Workshop Technicians	
City and Guilds Science Laboratory Technician's Certificate Allowance	£135
City and Guilds Laboratory Technician's Advanced Certificate Allowance	£102

Paragraph 32 London Weighting and Fringe Area Allowances £ Per Annum

Inner London	Outer London	Inner Fringe	Outer Fringe
£2,340	£1,245	£564	£393

Paragraph 35 Standby Duty Allowance - Social Workers	
(1)(a)(i) Allowance per Session	£18.81

Former Manual Worker Agreement (White Book)

Section 1 Paragraph 3 London and Fringe Area Allowances £ Per Annum

Greater London	Inner Fringe Area	Outer Fringe Area
£1,710	£564	£393

CAR ALLOWANCES - PART 3 PARAGRAPH 6
It has been agreed that the rates of car allowances be revised with effect from **1 April 1997**. The new rates are set out below:

	451-999cc	1000-1199cc	1200-1450cc
Essential Users			
Lump sum per annum	£534	£603	£783
per mile first 8,500	25.4p	28.1p	34.2p
per mile after 8,500	10.7p	11.5p	12.7p
Petrol Element	6.511p	7.116p	7.846p
Amount of VAT per mile in petrol element	0.898p	0.961p	1.060p
Casual Users			
per mile first 8,500	31.7p	35.2p	43.5p
per mile after 8,500	10.7p	11.5p	12.7p
Petrol Element	6.033p	6.453p	7.115p
Amount of VAT per mile in petrol element	0.898p	0.961p	1.060p

RATES OF PROTECTED ALLOWANCES AT 1 APRIL 1998

Former APT&C Agreement (Purple Book)
Paragraph 28(3) Nursery Staffs in Educational Establishments
Special Educational Needs Allowance £858

Paragraph 28(10) Staff in Residential Homes
Sleeping in Duty Payments 10(c)(iv) £24.07
Paragraph 28(14) Laboratory / Workshop Technicians
City and Guilds Science Laboratory Technician's
Certificate Allowance £138
City and Guilds Laboratory Technician's Advanced
Certificate Allowance £105

Paragraph 32 London Weighting and Fringe Area Allowances £ Per Annum

Inner London	Outer London	Inner Fringe	Outer Fringe
£2,409	£1,281	£582	£405

Paragraph 35 Standby Duty Allowance - Social Workers
(1)(a)(i) Allowance per Session £19.37

Former Manual Worker Agreement (White Book)
Section 1 Paragraph 3 London and Fringe Area Allowances £ Per Annum

Greater London	Inner Fringe Area	Outer Fringe Area
£1,761	£582	£405

CAR ALLOWANCES - PART 3 PARAGRAPH 6
It has been agreed that the rates of car allowances be revised with effect from **1 April 1998**. The new rates are set out below:

	451-999cc	**1000-1199cc**	**1200-1450cc**
Essential Users			
Lump sum per annum	£537	£606	£783
per mile first 8,500	25.7p	28.6p	34.9p
per mile after 8,500	10.9p	11.9p	13.3p
Petrol Element	6.570p	7.181p	8.126p
Amount of VAT per mile in petrol element	0.979p	1.070p	1.210p
Casual Users			
per mile first 8,500	32.0p	35.7p	44.1p
per mile after 8,500	10.9p	11.9p	13.3p
Petrol Element	6.570p	7.181p	8.126p
Amount of VAT per mile in petrol element	0.979p	1.070p	1.210p

IMPLEMENTATION AGREEMENT 1997

1. This provides for the implementation of the Agreement between the National Employers and the trade unions (a) to introduce a new national agreement in place of the APT&C handbook (Purple Book) and the Manual handbook (regionally variable colours) and (b) to merge the existing negotiating machinery for APT&C and Manual Workers.

2. From 1 April 1997 the national agreement for former APT&C and Manual employees will consist of a new handbook to be known as the Green Book. It will comprise the following four parts:

   Part 1 - Principles
   Part 2 - Key National Provisions
   Part 3 - Other National Provisions
   Part 4 - Joint Advice

3. The status of the provisions in Parts 2 and 3 is explained in Part 1. Part 2 contains key national provisions while Part 3 contains other national provisions which may be modified locally, by negotiation between the authority and the unions. A procedure is set out in Part 1 for dealing with local failures to agree over proposals to modify a Part 3 provision. However, the national negotiators urge the local parties to approach such local negotiations with an open mind, not determined from the outset either to veto or impose change but instead to negotiate with a view to reaching agreement.

4. Employees within scope of the Green Book are all employees of local authorities or other authorities of equivalent status in the UK, except those for whom other national negotiating machinery already exists. The new national

agreement no longer refers to APT&C, staff or officers or to Manual Workers. All those within scope are referred to as “employees”.

5. Where contracts of employment incorporate national agreements, references to the former APT&C or Manual agreements will now be to the new Green Book. Employees need to be notified individually, accordingly, at a suitable opportunity.

6. The new national agreement does not of itself alter existing local and provincial / Scottish / Northern Ireland arrangements which differ from the existing national agreements.

7. Single-table bargaining will operate nationally from 1 April 1997 as part of the Single Status agreement to wind up the former APT&C and Manual NJCs and to establish a new National Joint Council for Local Government Services. The constitution of the new NJC is attached as an appendix to Part 1 of the Green Book. The national negotiators call upon their provincial and local counterparts to follow through the principle of single-table machinery, where this has not already been done.

8. The remainder of these circular deals with detailed transitional arrangements on:

   Pay and Grading
   Working Time Arrangements
   DSOs and CCT
   Method and Frequency of Payment
   Bonus
   Continuous Service

PAY AND GRADING

9. Assimilation of existing employees (as at 31 March 1997) to the new pay spine effective from 1 April 1997 will be in accordance with the provisions of the attached **Annex**.

10. Employees on former APT&C scales shall be entitled to progress to the top of their pay scale in accordance with existing arrangements for incremental progression, until superseded by local arrangements following local reviews of grading structure.

11. The grading structures for former Manual Workers and former APT&C staff will remain in effect until superseded by local arrangements following a review of the grading structures in accordance with the provisions of Part 3, paragraph 1. Allowances protected under this arrangement, for example technicians’ qualifications allowance, nursery staff special education needs allowance and social workers’ standby allowance, will be uprated in line with national pay settlements.

12.

12.1 To fulfil a key objective of single status employment, fair and non-discriminatory grading structures are needed at local level to integrate former APT&C staff and former Manual Workers. The job evaluation scheme that has been jointly developed will enable grading to be reviewed at local level in accordance with equal pay legislation.

12.2 Local authorities should review their local grading structures, including whether or not to operate a system of pay scales as opposed to single pay points. In conducting such a review, representatives of the recognised trade unions should be fully involved. In conjunction with local grading reviews the authority and the unions shall agree the terms on which there should be protection against loss of remuneration. Once such a review has been completed, the local grades, using national spinal column points, will supersede the existing national grading provisions and scales referred to in Appendix 1 to Part 3.

13. For former APT&C employees grading appeals registered formally at 31 March 1997 will be processed under Paragraph 80 of the former APT&C agreement.

14. For employees on former APT&C scales the conditions set out in Paragraph 80 of the former APT&C agreement will continue to apply except that the right to process a grading appeal to national level will cease with effect from 1 April 1997. These arrangements will continue until superseded by locally agreed procedures which should be in place by 31 December 1997.

15. Where the local government job evaluation scheme is in use the appeal will be determined using the scheme.

16. Former Manual Workers in service on 31 March 1982 had placed in suspense their leave entitlement which would have been enjoyed after 1 April 1982 under the “holiday in arrears” system which used to apply. This suspended entitlement is to be taken or credited when employment with an authority terminates and shall be taken into account in any calculation of current holiday entitlement at that time.

WORKING TIME ARRANGEMENTS

17. From 1 April 1999 the standard weekly hours of all full-time employees will be 37. For part-timers there will be corresponding increases in hourly basic rates from the date of the reduction in standard hours for their full-time counterparts. The standard in London will be 36 hours from a date to be negotiated in the London provincial machinery, but will not be more than 37 from 1 April 1999.

In implementing the provisions of the agreement the local parties should endeavour to minimise costs whilst ensuring service delivery standards are maintained. It is the view of the NJC that it is in the interests of both local

parties that full-time employees will generally maintain existing output levels when the standard working week is reduced. For part-time employees it is the view of the NJC that existing contractual hours will be maintained. Wherever possible efforts will be made to offset the increased hourly rates of pay by more productive working methods. The NJC accordingly advises the local parties to cooperate in minimising the costs of reducing the standard working week in order to protect jobs and services.

18. From 1 April 1999 new premium rates as set out in Section 2 of Part 3 of the Green Book apply, except where inclusive rates are introduced locally using the procedures laid down for the purpose in Part 3. From that date, employees who regularly work shifts and receive a shift allowance will continue to receive that allowance.

19. Between the date of this circular and 1 April 1999 the status quo will apply on standard hours and premium rates, except where it is agreed to introduce the new arrangements earlier.

DSOs AND CCT

21**.**

21.1 **Principles**
In order to maintain the principles of equal pay and equitable treatment, the provisions of this agreement must apply to all employees within scope of the NJC. However, the NJC recognises the possible difficulties which the CCT regime may impose, in respect of implementing the 37 hours (36 hours in London) provision.

21.2 **Contracts operative before 1 October 1997**
For DSO contracts that are operative prior to 1 October 1997, the implementation of the 37 hours (36 hours in London) provision, may be on a phased basis where it is agreed that implementation on the nationally agreed date would cause a contract to default. Any phased introduction will be the subject of local agreement and shall only apply for a maximum of two years beyond the national implementation date, or until the termination of the contract, whichever is the sooner.

21.3 **Contracts operative after 1 October 1997**
For DSO contracts starting on or after 1 October 1997, tender specifications will incorporate the provisions of the national agreement and the nationally agreed implementation date.

METHODS AND PERIODS OF PAYMENT

22. Any changes to existing arrangements should be by local agreement.

BONUS

23. The new national agreement no longer contains the Code of Guiding principles on bonus in the former manual workers agreement. Existing local bonus schemes / arrangements are not affected by this agreement. The NJC has agreed, however, to establish a joint technical working group to examine bonus and associated issues with particular reference to equal pay (subject to agreement in the NJCs).

CONTINUOUS SERVICE

24. Employees in post at 31 March 1997 will retain their entitlements with relation to continuous service as set out in the former APT&C and manual worker national agreements operative at that date.

ANNEX: Assimilation Table

Current APT&C Spine		New Spine 1 April 1997		Current Manual Grades		
				6/vb		5/maximum
1		1	[7000]			
2		2	[7422]			
3	6696	3	[7828]			
4	7080	4	8155	148.91	M13	7788
5	7572	5	8437	155.08	M14	8086
6	8019	6	8721	161.12	M15	8401
7	8486	7	9035	167.45	M16	8751
8	8897	8	9409	174.41	M17	9049
9	9370	9	9905	179.69	M18	9359
10/31	30396	30	9810			
		31	30449			
32	30807	32	30868			
33	30868	33	30919			
34	30864	34	31137			
35	31309	35	31388			
36	31775	36	31618			
37	31646	37	31937			
38	31974	38	32171			
39	32311	39	32630			
40	32708	40	32948			
41	33213	41	33463			
42	33961	42	33920			
43	33977	43	34429			
44	34436	44	34796			
45	34992	45	35264			
46	35573	46	35719			
47	35889	47	36283			
48	36404	48	36939			
49	37039	49	37483			
50	37535	50	38046			
51	38081	51	38636			
52	38717	52	39189			
53	39289	53	39712			
54	39818	54	40339			
55	40239	55	40936			
56	40766	56	41289			
57	41311	57	41889			
58	41979	58	42424			
59	42692	59	43219			
60	43257	60	43877			
61	43913	61	44530			
62	44519	62	45137			
63	45134	63	45783			
64	45748	64	46381			
65	46315	65	46982			
66	46961	66	47636			
67	47579	67	48289			
68	48151	68	48896			
69	48900	69	49528			

Notes

1. [ ] protected, for existing employees
Every point in spine for new employees after 1 April 1997 is SCP +

2. SCP 1 for existing 16 year olds and
SCP 2 for existing 17 year olds after 1 April 1997 when 16 and 17 year olds are not fulfilling the full duties of subsumed posts locally determined rates will apply.

SCP	1 April 1999
3	[£8,412]
4	£8,628
5	£8,940
6	£9,252
7	£9,564
8	£9,876
9	£10,188
10	£10,407
11	£11,085
12	£11,319
13	£11,622
14	£11,838
15	£12,081
16	£12,369
17	£12,663
18	£12,912
19	£13,398
20	£13,884
21	£14,391
22	£14,766
23	£15,198
24	£15,696
25	£16,194
26	£16,719
27	£17,274
28	£17,838
29	£18,546
30	£19,167
31	£19,770
32	£20,355
33	£20,955
34	£21,549
35	£21,999
36	£22,581
37	£23,217
38	£23,895
39	£24,678
40	£25,332
41	£26,001
42	£26,661
43	£27,330
44	£27,999
45	£28,626
46	£29,319
47	£29,991
48	£30,657
49	£31,317

Notes 1999
It was agreed in 1997 that SCPs 1-3 were only applicable to employees in post at the time. Since all those employees will now have progressed to at least SCP3, SCP2 has been deleted from the spine with effect from 1 April 1999. SCP3 will then be deleted next year in 2000. Locally determined rates will apply for 16 and 17 year olds not fulfilling the full duties of substantive posts.

RATES OF PROTECTED ALLOWANCES AT 1 APRIL 1999

Former APT&C Agreement (Purple Book)

Paragraph 28(3) Nursery Staffs in Educational Establishments
Special Educational Needs Allowance £885

Paragraph 28(10) Staff in Residential Homes
Sleeping in Duty Payments 10(c)(iv) £24.79

Paragraph 28(14) Laboratory / Workshop Technicians
City and Guilds Science Laboratory Technician's Certificate Allowance £141
City and Guilds Laboratory Technician's Advanced Certificate Allowance £108

Paragraph 32 London Weighting and Fringe Area Allowances £ Per Annum

Inner London	Outer London	Inner Fringe	Outer Fringe
£2,481	£1,320	£600	£417

Paragraph 35 Standby Duty Allowance - Social Workers
(1)(a)(i) Allowance per Session £19.95

Former Manual Worker Agreement (White Book)

Section 1 Paragraph 3 London and Fringe Area Allowances £ Per Annum

Greater London	Inner Fringe Area	Outer Fringe Area
£1,815	£600	£417

CAR ALLOWANCES - PART 3 PARAGRAPH 6

It has been agreed that the rates of car allowances be revised with effect from **1 April 1999**. The new rates are set out below:

	451-999cc	**1000-1199cc**	**1200-1450cc**
Essential Users			
Lump sum per annum	£564	£636	£822
per mile first 8,500	25.9p	28.8p	35.1p
per mile after 8,500	10.4p	11.4p	12.6p
Petrol Element	6.511p	7.116p	7.846p
Amount of VAT per mile in petrol element	0.970p	1.060p	1.169p
Casual Users			
per mile first 8,500	32.5p	36.3p	44.8p
per mile after 8,500	10.4p	11.4p	12.6p

Petrol Element	6.511p	7.116p	7.846p
Amount of VAT per mile in petrol element	0.970p	1.060p	1.169p

SCP	1 April 2000
4	£8,886
5	£9,207
6	£9,531
7	£9,852
8	£10,173
9	£10,494
10	£10,719
11	£11,418
12	£11,658
13	£11,970
14	£12,192
15	£12,444
16	£12,741
17	£13,044
18	£13,299
19	£13,800
20	£14,301
21	£14,823
22	£15,210
23	£15,654
24	£16,167
25	£16,680
26	£17,220
27	£17,793
28	£18,372
29	£19,101
30	£19,743
31	£20,364
32	£20,967
33	£21,585
34	£22,194
35	£22,659
36	£23,259
37	£23,913
38	£24,612
39	£25,419
40	£26,091
41	£26,781
42	£27,462
43	£28,149
44	£28,839
45	£29,484
46	£30,198
47	£30,891
48	£31,578
49	£32,256

Part 3 Paragraph 2.3(e)
Sleeping-in Duty Payment £25.53

RATES OF PROTECTED ALLOWANCES AT 1 APRIL 2000

Former APT&C Agreement (Purple Book)
Paragraph 28(3) Nursery Staffs in Educational Establishments Special Educational Needs Allowance £912

Paragraph 28(14) Laboratory / Workshop Technicians
City and Guilds Science Laboratory Technician's Certificate Allowance £144
City and Guilds Laboratory Technician's Advanced Certificate Allowance £111

Paragraph 32 London Weighting and Fringe Area Allowances £ Per Annum

Inner London	Outer London	Inner Fringe	Outer Fringe
£2,556	£1,359	£618	£429

Paragraph 35 Standby Duty Allowance - Social Workers
(1)(a)(i) Allowance per Session £20.55

Former Manual Worker Agreement (White Book)
Section 1 Paragraph 3 London and Fringe Area Allowances £ Per Annum

Greater London	Inner Fringe Area	Outer Fringe Area
£1,869	£618	£429

CAR ALLOWANCES - PART 3 PARAGRAPH 6
It has been agreed that the rates of car allowances be revised with effect from **1 April 2000**. The new rates are set out below:

	451-999cc	**1000-1199cc**	**1200-1450cc**
Essential Users			
Lump sum per annum	£609	£702	£906
per mile first 8,500	27.5p	31.2p	37.8p
per mile after 8,500	10.7p	11.9p	12.9p
Petrol Element	7.144p	7.974p	8.573p
Amount of VAT per mile in petrol element	1.064p	1.188p	1.277p
Casual Users			
per mile first 8,500	34.6p	39.5p	48.5p
per mile after 8,500	10.7p	11.9p	12.9p
Petrol Element	7.144p	7.974p	8.573p
Amount of VAT per mile in petrol element	1.064p	1.188p	1.277p

SCP	1 April 2001
4	£9,267
5	£9,588
6	£9,912
7	£10,233
8	£10,554
9	£10,875
10	£11,100
11	£11,817
12	£12,066
13	£12,390
14	£12,618
15	£12,879
16	£13,188
17	£13,500
18	£13,764
19	£14,283
20	£14,802
21	£15,342
22	£15,741
23	£16,203
24	£16,734
25	£17,265
26	£17,823
27	£18,417
28	£19,014
29	£19,770
30	£20,433
31	£21,078
32	£21,702
33	£22,341
34	£22,971
35	£23,451
36	£24,072
37	£24,750
38	£25,473
39	£26,310
40	£27,003
41	£27,717
42	£28,422
43	£29,133
44	£29,847
45	£30,516
46	£31,254
47	£31,971
48	£32,682
49	£33,384

Part 3 Paragraph 2.3(e)
Sleeping-in Duty Payment £26.42

RATES OF PROTECTED ALLOWANCES AT 1 APRIL 2001

Former APT&C Agreement (Purple Book)
Paragraph 28(3) Nursery Staffs in Educational Establishments Special Educational Needs Allowance £945

Paragraph 28(14) Laboratory / Workshop Technicians
City and Guilds Science Laboratory Technician's Certificate Allowance £150
City and Guilds Laboratory Technician's Advanced Certificate Allowance £114

Paragraph 32 London Weighting and Fringe Area Allowances £ Per Annum

Inner Fringe	Outer Fringe
£639	£444

Paragraph 35 Standby Duty Allowance - Social Workers
(1)(a)(i) Allowance per Session £21.27

Former Manual Worker Agreement (White Book)
Section 1 Paragraph 3 London and Fringe Area Allowances £ Per Annum

Inner Fringe Area	Outer Fringe Area
£639	£444

CAR ALLOWANCES - PART 3 PARAGRAPH 6
It has been agreed that the rates of car allowances be revised with effect from **1 April 2001**.

The new rates are set out below:

	451-999cc	**1000-1199cc**	**1200-1450cc**
Essential Users			
Lump sum per annum	£627	£705	£906
per mile first 8,500	28.4p	31.6p	38.4p
per mile after 8,500	11.2p	12.3p	13.5p
Petrol Element	7.598p	8.289p	9.118p
Amount of VAT per mile in petrol element	1.132p	1.235p	1.358p
Casual Users			
per mile first 8,500	35.8p	39.9p	49.1p
per mile after 8,500	11.2p	12.3p	13.5p
Petrol Element	7.598p	8.289p	9.118p
Amount of VAT per mile in petrol element	1.132p	1.235p	1.358p

SCP	1 April 2002	1 October 2002	1 April 2003
4	£9,648	£9,834	£10,278
5	£9,876	£10,068	£10,521
6	£10,209	£10,308	£10,668
7	£10,539	£10,641	£11,013
8	£10,872	£10,977	£11,361
9	£11,202	£11,310	£11,706
10	£11,433	£11,544	£11,949
11	£12,171	£12,291	£12,720
12	£12,429	£12,549	£12,987
13	£12,762	£12,885	£13,335
14	£12,996	£13,122	£13,581
15	£13,266	£13,395	£13,863
16	£13,584	£13,716	£14,196
17	£13,905	£14,040	£14,532
18	£14,178	£14,316	£14,817
19	£14,712	£14,853	£15,372
20	£15,246	£15,393	£15,933
21	£15,801	£15,957	£16,515
22	£16,212	£16,371	£16,944
23	£16,689	£16,851	£17,442
24	£17,235	£17,403	£18,012
25	£17,784	£17,955	£18,582
26	£18,357	£18,537	£19,185
27	£18,969	£19,155	£19,824
28	£19,584	£19,776	£20,469
29	£20,364	£20,562	£21,282
30	£21,045	£21,249	£21,993
31	£21,711	£21,921	£22,689
32	£22,353	£22,569	£23,358
33	£23,010	£23,235	£24,048
34	£23,661	£23,889	£24,726
35	£24,156	£24,390	£25,245
36	£24,795	£25,035	£25,911
37	£25,494	£25,740	£26,640
38	£26,238	£26,493	£27,420
39	£27,099	£27,363	£28,320
40	£27,813	£28,083	£29,067
41	£28,548	£28,827	£29,835
42	£29,274	£29,559	£30,594
43	£30,006	£30,297	£31,356
44	£30,741	£31,041	£32,127
45	£31,431	£31,737	£32,847
46	£32,193	£32,505	£33,642
47	£32,931	£33,249	£34,413
48	£33,663	£33,990	£35,181
49	£34,386	£34,719	£35,934

Part 3 Paragraph 2.3(e) Sleeping-in Duty Payment

1 April 2002	1 October 2002	1 April 2003
£27.21	£27.48	£28.44

RATES OF PROTECTED ALLOWANCES AT 1 APRIL 2002, 1 OCTOBER 2002 AND 1 APRIL 2003

Former APT&C Agreement (Purple Book)

Paragraph 28(3) Nursery Staffs in Educational Establishments - Special Educational Needs Allowance

1 April 2002	1 October 2002	1 April 2003
£972	£984	£1017

Paragraph 28(14) Laboratory / Workshop Technicians

City and Guilds Science Laboratory Technician's Certificate Allowance

1 April 2002	1 October 2002	1 April 2003
£156	£156	£162

City and Guilds Laboratory Technician's Advanced Certificate Allowance

1 April 2002	1 October 2002	1 April 2003
£117	£120	£123

Paragraph 32 London Weighting and Fringe Area Allowances £ Per Annum

Inner Fringe

1 April 2002	1 October 2002	1 April 2003
£657	£666	£690

Outer Fringe

1 April 2002	1 October 2002	1 April 2003
£456	£462	£477

Paragraph 35 Standby Duty Allowance - Social Workers (1)(a)(i) Allowance - Per Session

1 April 2002	1 October 2002	1 April 2003
£21.91	£22.12	£22.89

FORMER MANUAL WORKER AGREEMENT (WHITE BOOK)

Section 1 Paragraph 3 London and Fringe Area Allowances £ Per Annum

Inner Fringe Area

1 April 2002	1 October 2002	1 April 2003
£658	£666	£690

Outer Fringe Area

1 April 2002	1 October 2002	1 April 2003
£456	£462	£477

CAR ALLOWANCES - PART 3 PARAGRAPH 6

It has been agreed that the rates of car allowances be revised with effect from **1 April 2002**. The new rates are set out below:

	451 - 999cc	**1000 - 1199cc**	**1200 - 1450cc**
Essential Users			
Lump sum per annum	£657	£735	£945
per mile first 8,500	28.1p	31.2p	38.3p
per mile after 8,500	10.1p	11.1p	12.4p
Casual Users			
per mile first 8,500	35.8p	39.9p	49.4p
per mile after 8,500	10.1p	11.1p	12.4p

CAR ALLOWANCES - PART 3 PARAGRAPH 6

It has been agreed that the rates of car allowances be revised with effect from **1 April 2003**. The new rates are set out below:

	451 - 999cc	**1000 - 1199cc**	**1200 - 1450cc**
Essential Users			
Lump sum per annum	£657	£735	£945
per mile first 8,500	28.6p	31.5p	38.7p
per mile after 8,500	10.6p	11.3p	12.8p
Casual Users			
per mile first 8,500	36.4p	40.2p	49.9p
per mile after 8,500	10.6p	11.3p	12.8p

SCP	1 April 2004	1 April 2005
4	£10,560	£10,872
5	£10,809	£11,127
6	£10,962	£11,286
7	£11,316	£11,649
8	£11,673	£12,018
9	£12,027	£12,381
10	£12,279	£12,642
11	£13,071	£13,458
12	£13,344	£13,737
13	£13,701	£14,106
14	£13,953	£14,364
15	£14,244	£14,664
16	£14,586	£15,015
17	£14,931	£15,372
18	£15,225	£15,675
19	£15,795	£16,260
20	£16,371	£16,854
21	£16,968	£17,469
22	£17,409	£17,922
23	£17,922	£18,450
24	£18,507	£19,053
25	£19,092	£19,656
26	£19,713	£20,295
27	£20,370	£20,970
28	£21,033	£21,654
29	£21,867	£22,512
30	£22,599	£23,265
31	£23,313	£24,000
32	£24,000	£24,708
33	£24,708	£25,437
34	£25,407	£26,157
35	£25,938	£26,703
36	£26,625	£27,411
37	£27,372	£28,179
38	£28,173	£29,004
39	£29,100	£29,958
40	£29,865	£30,747
41	£30,654	£31,557
42	£31,434	£32,361
43	£32,217	£33,168
44	£33,009	£33,984
45	£33,750	£34,746
46	£34,566	£35,586
47	£35,358	£36,402
48	£36,147	£37,212
49	£36,921	£38,010

Part 3 Paragraph 2.3(e) Sleeping-in Duty Payment

1 April 2004	1 April 2005
£29.22	£30.08

RATES OF PROTECTED ALLOWANCES AT 1 APRIL 2004 and 1 APRIL 2005 FORMER APT&C AGREEMENT (PURPLE BOOK)

Paragraph 28(3) Nursery Staffs in Educational Establishments - Special Educational

Needs Allowance

1 April 2004	1 April 2005
£1,044	£1,074

Paragraph 28(14) Laboratory / Workshop Technicians

City and Guilds Science Laboratory Technician's Certificate Allowance

1 April 2004	1 April 2005
£168	£174

City and Guilds Laboratory Technician's Advanced Certificate Allowance

1 April 2004	1 April 2005
£126	£129

Paragraph 32 London Weighting and Fringe Area Allowances £ Per Annum

Inner Fringe

1 April 2004	1 April 2005
£708	£729

Outer Fringe

1 April 2004	1 April 2005
£492	£507

Paragraph 35 Standby Duty Allowance - Social Workers (1)(a)(i) Allowance - Per Session

1 April 2004	1 April 2005
£23.52	£24.21

FORMER MANUAL WORKER AGREEMENT (WHITE BOOK)

Section 1 Paragraph 3 London and Fringe Area Allowances £ Per Annum

Inner Fringe Area

1 April 2004	**1 April 2005**
£708	£729

Outer Fringe Area

1 April 2004	**1 April 2005**
£492	£507

CAR ALLOWANCES - PART 3 PARAGRAPH 6
It has been agreed that the rates of car allowances be revised with effect from **1 April 2004**. The new rates are set out below:

	451 - 999cc	**1000 - 1199cc**	**1200 - 1450cc**
Essential Users			
Lump sum per annum	£666	£744	£954
per mile first 8,500	29.1p	31.7p	39.2p
per mile after 8,500	10.8p	11.2p	13.1p
Casual Users			
per mile first 8,500	37.0p	40.4p	50.5p
per mile after 8,500	10.8p	11.2p	13.1p

CAR ALLOWANCES - PART 3 PARAGRAPH 6
It has been agreed that the rates of Car Allowances be revised with effect from **1 April 2005**. The new rates are set out below:

	451 - 999cc	**1000 - 1199cc**	**1200 - 1450cc**
Essential Users			
Lump sum per annum	£690	£771	£990
per mile first 8,500	30.6p	32.9p	41.1p
per mile after 8,500	11.7p	11.8p	13.9p
Casual Users			
per mile first 8,500	38.7p	42.0p	52.7p
per mile after 8,500	11.7p	11.8p	13.9p

IMPLEMENTATION AGREEMENT 2004

1. Local Pay Reviews must be completed and implemented by all authorities by 31 March 2007. Both Sides in individual local authorities will enter into negotiations, with a view to reaching an agreement on new local pay structures and systems by April 2006. The national parties will agree a

mechanism to monitor the successful completion of local pay reviews. Progress will be reported to the NJC.

2. In keeping with the 1997 agreement, the NJC encourages a joint approach to pay reviews.

3. This National Agreement requires local employers to produce comprehensive proposals by a specific date; requires both local parties to negotiate towards a settlement by a date to be agreed and requires an agreed mechanism for dealing with situations where progress cannot be made - as recommended by the Local Government Pay Commission. Both Sides of the NJC affirm a preference for negotiated outcomes at local level and agree to use their best offices to promote these.

4. Those authorities that have completed local pay reviews, and those whose pay and rewards approach already provide a single status pay structure under Part 2 Para 5 of the National Agreement are required to produce a statement to that effect.

5. Negotiations on local pay reviews should take place in accord with the Pay & Grading section of the 1997 Implementation Agreement and Part 2 Para 5 of the National Agreement. Local pay & grading reviews should include:

   - A new pay and grading structure
   - Details of the approach to be taken to determine the relative sizes of the jobs included*
   - Proposals for protection
   - Proposals for premium rates
   - Proposals for progression
   - Proposals for back pay
   - Proposals for appeal against assimilation proposals
   - An Equality Impact Assessment of proposed changes to grading and pay and other conditions.
   - An Equal Pay Audit where local pay reviews have been completed without such an audit.
   - Proposals for bonus and other performance payments
   - Proposals for any cost savings or productivity improvements required to offset the cost of implementation
   - A timetable for implementation by 31 March 2007
   - Resources necessary for the pay review and their estimated cost.

   *the Local Government Pay Commission recommends that use of a job evaluation scheme other than the NJC scheme should comply with its basic principles.

6. The proposals must make clear how they are designed to take account of service improvement and promote better work-life balance for employees.

7. The local timetable will include a date at which any outstanding issues will be referred to an assisted bargaining process within which the two local parties would be assisted towards a settlement by an agreed third party.

8. Local employers will propose a timetable for regular equal pay audits. The National Joint Secretaries will produce joint advice on the approach to be taken to such audits.

9. There will be a joint review of Part 2 employee benefits to report to the NJC by 1 April 2005.

10. There will be a joint review of Part 3 Paras 2.1 to 2.7 incl. to report to the NJC by 1 April 2007.

11. Both Sides will enter into discussions to reach a National Agreement on the improvement of services that will replace the current agreement on Best Value. This agreement will deal explicitly with Best Value, CPA, Treasury guidance on staff transfer, efficiency, the code of practice on a two-tier workforce and changes in pension transfer provisions.

12. Agreement has now been reached on rates of pay applicable from 1 April 2004 and 1 April 2005. Given that the rates of pay applicable from 1 April 2006 may be subject to the RPI figure at October 2005, those rates will be published nearer that time.

SCP	1 April 2006
4	£11,193
5	£11,454
6	£11,619
7	£11,994
8	£12,372
9	£12,747
10	£13,014
11	£13,854
12	£14,142
13	£14,523
14	£14,787
15	£15,096
16	£15,459
17	£15,825
18	£16,137
19	£16,740
20	£17,352
21	£17,985
22	£18,450
23	£18,993
24	£19,614
25	£20,235
26	£20,895
27	£21,588
28	£22,293
29	£23,175
30	£23,952
31	£24,708
32	£25,437
33	£26,187
34	£26,928
35	£27,492
36	£28,221
37	£29,010
38	£29,859
39	£30,843
40	£31,653
41	£32,487
42	£33,315
43	£34,146
44	£34,986
45	£35,772
46	£36,636
47	£37,476
48	£38,310
49	£39,132

Part 3 Paragraph 2.3(e) Sleeping-in Duty Payment £30.97

RATES OF PROTECTED ALLOWANCES AT 1 APRIL 2006 (FORMER APT&C AGREEMENT (PURPLE BOOK))

Paragraph 28(3) Nursery Staffs in Educational Establishments £1,107
Special Educational Needs Allowance

Paragraph 28(14) Laboratory/Workshop Technicians

City and Guilds Science Laboratory Technician's
Certificate Allowance £180

City and Guilds Laboratory Technician's Advanced
Certificate Allowance £132

Paragraph 32 London Weighting and Fringe Area Allowances £ Per Annum

Inner Fringe Area	Outer Fringe Area
£750	£522

Paragraph 35 Standby Duty Allowance
Social Workers (1)(a)(i) Allowance per Session £24.92

FORMER MANUAL WORKER AGREEMENT (WHITE BOOK)
Section 1 Paragraph 3 London and Fringe Area Allowances £ Per Annum

Inner Fringe Area	Outer Fringe Area
£750	£522

CAR ALLOWANCES - PART 3 PARAGRAPH 6
It has been agreed that the rates of Car Allowances be revised with effect from **1 April 2006**. The new rates are set out below:

	451 - 999cc	**1000 - 1199cc**	**1200 - 1450cc**
Essential Users			
Lump sum per annum	£702	£792	£1,023
per mile first 8,500	31.4p	33.8p	42.4p
per mile after 8,500	12.1p	12.0p	14.3p
Casual Users			
per mile first 8,500	39.7p	43.1p	54.4p
per mile after 8,500	12.1p	12.0p	14.3p

SCP	1 April 2007
4	£11,577
5	£11,737
6	£11,907
7	£12,291
8	£12,678
9	£13,062
10	£13,336
11	£14,197
12	£14,492
13	£14,882
14	£15,153
15	£15,470
16	£15,842
17	£16,217
18	£16,536
19	£17,154
20	£17,781
21	£18,430
22	£18,907
23	£19,463
24	£20,099
25	£20,736
26	£21,412
27	£22,122
28	£22,845
29	£23,749
30	£24,545
31	£25,320
32	£26,067
33	£26,835
34	£27,594
35	£28,172
36	£28,919
37	£29,728
38	£30,598
39	£31,606
40	£32,436
41	£33,291
42	£34,140
43	£34,991
44	£35,852
45	£36,657
46	£37,543
47	£38,404
48	£39,258
49	£40,101

Part 3 Paragraph 2.6(e) Sleeping-in Duty Payment

1 April 2007
£31.74

RATES OF PROTECTED ALLOWANCES AT 1 APRIL 2007 (FORMER APT&C AGREEMENT (PURPLE BOOK))

Paragraph 28(3) Nursery Staffs in Educational Establishments - Special Educational Needs Allowance

1 April 2007
£1,134

Paragraph 28(14) Laboratory/Workshop Technicians
City and Guilds Science Laboratory Technician's Certificate Allowance

1 April 2007
£184

City and Guilds Laboratory Technician's Advanced Certificate Allowance

1 April 2007
£135

Paragraph 32 London Weighting and Fringe Area Allowances £ Per Annum

Inner Fringe Area
1 April 2007
£769

Outer Fringe Area
1 April 2007
£535

Paragraph 35 Standby Duty Allowance - Social Workers (1)(a)(i) Allowance per Session

1 April 2007
£25.54

FORMER MANUAL WORKER AGREEMENT (WHITE BOOK)

Section 1 Paragraph 3 London and Fringe Area Allowances £ Per Annum

Inner Fringe Area	Outer Fringe Area
1 April 2007	**1 April 2007**
£769	£535

CAR ALLOWANCES - PART 3 PARAGRAPH 6

It has been agreed that the rates of Car Allowances be revised with effect from **1 April 2007**. The new rates are set out below:

	451 - 999cc	**1000 - 1199cc**	**1200 - 1450cc**
Essential Users			
Lump sum per annum	£726	£819	£1,056
per mile first 8,500	32.0p	34.6p	43.4p
per mile after 8,500	12.1p	12.1p	14.4p
Casual Users			
per mile first 8,500	40.5p	44.2p	55.8p
per mile after 8,500	12.1p	12.1p	14.4p

SCP	*1 April 2008 (interim)*	**1 April 2008 (incl. additional 0.30% awarded by arbitration)**
4	*£11,961*	**£11,995**
5	*£12,125*	**£12,160**
6	*£12,299*	**£12,334**
7	*£12,592*	**£12,629**
8	*£12,989*	**£13,027**
9	*£13,382*	**£13,421**
10	*£13,663*	**£13,703**
11	*£14,545*	**£14,587**
12	*£14,847*	**£14,891**
13	*£15,247*	**£15,291**
14	*£15,524*	**£15,570**
15	*£15,849*	**£15,895**
16	*£16,230*	**£16,278**
17	*£16,614*	**£16,663**
18	*£16,941*	**£16,991**
19	*£17,574*	**£17,626**
20	*£18,217*	**£18,270**
21	*£18,882*	**£18,937**
22	*£19,370*	**£19,427**
23	*£19,940*	**£19,998**
24	*£20,591*	**£20,652**
25	*£21,244*	**£21,306**
26	*£21,937*	**£22,001**
27	*£22,664*	**£22,730**
28	*£23,405*	**£23,473**
29	*£24,331*	**£24,402**
30	*£25,146*	**£25,220**
31	*£25,940*	**£26,016**
32	*£26,706*	**£26,784**
33	*£27,492*	**£27,573**
34	*£28,270*	**£28,353**
35	*£28,862*	**£28,947**
36	*£29,628*	**£29,714**
37	*£30,456*	**£30,546**
38	*£31,348*	**£31,439**
39	*£32,380*	**£32,475**
40	*£33,231*	**£33,328**
41	*£34,107*	**£34,207**
42	*£34,976*	**£35,079**
43	*£35,848*	**£35,953**
44	*£36,730*	**£36,838**
45	*£37,555*	**£37,665**
46	*£38,463*	**£38,575**
47	*£39,345*	**£39,460**
48	*£40,220*	**£40,338**
49	*£41,083*	**£41,204**

Part 3 Paragraph 2.6(e) Sleeping-in Duty Payment

1 April 2008 (interim)	**1 April 2008 (incl. additional 0.30% awarded by arbitration)**
£32.52	£32.61

RATES OF PROTECTED ALLOWANCES AT 1 APRIL 2008 (FORMER APT&C AGREEMENT (PURPLE BOOK))

Paragraph 28(3) Nursery Staffs in Educational Establishments - Special Educational Needs Allowance

1 April 2008 (interim)	**1 April 2008 (incl. additional 0.30% awarded by arbitration)**
£1,162	£1,165

Paragraph 28(14) Laboratory/Workshop Technicians

City and Guilds Science Laboratory Technician's Certificate Allowance

1 April 2008 (interim)	**1 April 2008 (incl. additional 0.30% awarded by arbitration)**
£189	£189

City and Guilds Laboratory Technician's Advanced Certificate Allowance

1 April 2008 (interim)	**1 April 2008 (incl. additional 0.30% awarded by arbitration)**
£138	£139

Paragraph 32 London Weighting and Fringe Area Allowances £ Per Annum

Inner Fringe Area

1 April 2008 (interim)	**1 April 2008 (incl. additional 0.30% awarded by arbitration)**
£788	£790

Outer Fringe Area

1 April 2008 (interim)	**1 April 2008 (incl. additional 0.30% awarded by arbitration)**
£548	£550

Paragraph 35 Standby Duty Allowance - Social Workers (1)(a)(i) Allowance - Per Session

1 April 2008 (interim)	**1 April 2008 (incl. additional 0.30% awarded by arbitration)**
£26.17	£26.24

FORMER MANUAL WORKER AGREEMENT (WHITE BOOK)

Section 1 Paragraph 3 London and Fringe Area Allowances £ Per Annum

Inner Fringe Area

1 April 2008 (interim)	**1 April 2008 (incl. additional 0.30% awarded by arbitration)**
£788	£790

Outer Fringe Area

1 April 2008 (interim)	**1 April 2008 (incl. additional 0.30% awarded by arbitration)**
£548	£550

CAR ALLOWANCES - PART 3 PARAGRAPH 6
It has been agreed that the rates of Car Allowances be revised with effect from **1 April 2008**. The new rates are set out below:

	451 - 999cc	**1000 - 1199cc**	**1200 - 1450cc**
Essential Users			
Lump sum per annum	£753	£849	£1,095
per mile first 8,500	34.0p	36.9p	45.8p
per mile after 8,500	13.3p	13.6p	15.8p
Casual Users			
per mile first 8,500	42.9p	46.9p	58.7p
per mile after 8,500	13.3p	13.6p	15.8p

SCP	1 April 2009
4	£12,145
5	£12,312
6	£12,489
7	£12,787
8	£13,189
9	£13,589
10	£13,874
11	£14,733
12	£15,039
13	£15,444
14	£15,725
15	£16,054
16	£16,440
17	£16,830
18	£17,161
19	£17,802
20	£18,453
21	£19,126
22	£19,621
23	£20,198
24	£20,858
25	£21,519
26	£22,221
27	£22,958
28	£23,708
29	£24,646
30	£25,472
31	£26,276
32	£27,052
33	£27,849
34	£28,636
35	£29,236
36	£30,011
37	£30,851
38	£31,754
39	£32,800
40	£33,661
41	£34,549
42	£35,430
43	£36,313
44	£37,206
45	£38,042
46	£38,961
47	£39,855
48	£40,741
49	£41,616

Part 3 Paragraph 2.6(e) Sleeping-in Duty Payment

1 April 2009
£32.94

RATES OF PROTECTED ALLOWANCES AT 1 APRIL 2009 (FORMER APT&C AGREEMENT (PURPLE BOOK))

Paragraph 28(3) Nursery Staffs in Educational Establishments - Special Educational Needs Allowance

1 April 2009
£1,177

Paragraph 28(14) Laboratory/Workshop Technicians
City and Guilds Science Laboratory Technician's Certificate Allowance

1 April 2009
£191

City and Guilds Laboratory Technician's Advanced Certificate Allowance

1 April 2009
£140

Paragraph 32 London Weighting and Fringe Area Allowances £ Per Annum

Inner Fringe Area
1 April 2009
£798

Outer Fringe Area
1 April 2009
£555

Paragraph 35 Standby Duty Allowance - Social Workers (1)(a)(i) Allowance per Session

1 April 2009
£26.50

FORMER MANUAL WORKER AGREEMENT (WHITE BOOK)

Section 1 Paragraph 3 London and Fringe Area Allowances £ Per Annum

Inner Fringe Area	Outer Fringe Area
1 April 2009	**1 April 2009**
£798	£555

CAR ALLOWANCES - PART 3 PARAGRAPH 6
It has been agreed that the rates of Car Allowances be revised with effect from **1 April 2009**. The new rates are set out below:

	451 - 999cc	1000 - 1199cc	1200 - 1450cc
Essential Users			
Lump sum per annum	£795	£906	£1,170
per mile first 8,500	33.6p	37.1p	46.4p
per mile after 8,500	11.7p	12.2p	14.2p
Casual Users			
per mile first 8,500	42.9p	47.7p	60.1p
per mile after 8,500	11.7p	12.2p	14.2p

CAR ALLOWANCES - PART 3 PARAGRAPH 6
It has been agreed that the rates of Car Allowances be revised with effect from **1 April 2010**. The new rates are set out below:

	451 - 999cc	1000 - 1199cc	1200 - 1450cc
Essential Users			
Lump sum per annum	£846	£963	£1,239
per mile first 8,500	36.9p	40.9p	50.5p
per mile after 8,500	13.7p	14.4p	16.4p
Casual Users			
per mile first 8,500	46.9p	52.2p	65.0p
per mile after 8,500	13.7p	14.4p	16.4p

SCP	**1 April 2013** *(to 31 December 2014)*
4	£12,266
5	£12,435
6	£12,614
7	£12,915
8	£13,321
9	£13,725
10	£14,013
11	£14,880
12	£15,189
13	£15,598
14	£15,882
15	£16,215
16	£16,604
17	£16,998
18	£17,333
19	£17,980
20	£18,638
21	£19,317
22	£19,817
23	£20,400
24	£21,067
25	£21,734
26	£22,443
27	£23,188
28	£23,945
29	£24,892
30	£25,727
31	£26,539
32	£27,323
33	£28,127
34	£28,922
35	£29,528
36	£30,311
37	£31,160
38	£32,072
39	£33,128
40	£33,998
41	£34,894
42	£35,784
43	£36,676
44	£37,578
45	£38,422
46	£39,351
47	£40,254
48	£41,148
49	£42,032

Part 3 Paragraph 2.6(e) Sleeping-in Duty Payment

1 April 2013 *(to 31 December 2014)*
£33.27

RATES OF PROTECTED ALLOWANCES AT 1 APRIL 2013 (FORMER APT&C AGREEMENT (PURPLE BOOK))

Paragraph 28(3) Nursery Staffs in Educational Establishments – Special Educational Needs Allowance

1 April 2013 *(to 31 December 2014)*
£1,189

Paragraph 28(14) Laboratory / Workshop Technicians
City and Guilds Science Laboratory Technician's Certificate Allowance

1 April 2013 *(to 31 December 2014)*
£193

City and Guilds Laboratory Technician's Advanced Certificate Allowance

1 April 2013 *(to 31 December 2014)*
£141

Paragraph 32 London Weighting and Fringe Area Allowances £ Per Annum

Inner Fringe Area
1 April 2013 *(to 31 December 2014)*
£806

Outer Fringe Area
1 April 2013 *(to 31 December 2014)*
£561

Paragraph 35 Standby Duty Allowance - Social Workers (1)(a)(i) Allowance per Session

1 April 2013 *(to 31 December 2014)*
£26.76

FORMER MANUAL WORKER AGREEMENT (WHITE BOOK)
Section 1 Paragraph 3 London and Fringe Area Allowances £ Per Annum

	1 April 2013 *(to 31 December 2014)*
Inner Fringe Area	£806
	1 April 2013 *(to 31 December 2014)*
Outer Fringe Area	£561

SCP	1 January 2015
5 (*until 1 Oct 15*)	£13,500
6	£13,614
7	£13,715
8	£13,871
9	£14,075
10	£14,338
11	£15,207
12	£15,523
13	£15,941
14	£16,231
15	£16,572
16	£16,969
17	£17,372
18	£17,714
19	£18,376
20	£19,048
21	£19,742
22	£20,253
23	£20,849
24	£21,530
25	£22,212
26	£22,937
27	£23,698
28	£24,472
29	£25,440
30	£26,293
31	£27,123
32	£27,924
33	£28,746
34	£29,558
35	£30,178
36	£30,978
37	£31,846
38	£32,778
39	£33,857
40	£34,746
41	£35,662
42	£36,571
43	£37,483
44	£38,405
45	£39,267
46	£40,217
47	£41,140
48	£42,053
49	£42,957

NON-CONSOLIDATED PAYMENTS

SCP	December 2014	April 2015
5	£325	
6	£325	
7	£325	
8	£150	
9	£150	
10	£150	
11	£100	
12	£100	
13	£100	
14	£100	
15	£100	
16	£100	
17	£100	
18	£100	
19	£100	
20	£100	
21	£100	
22	£100	
23	£100	
24	£100	
25	£100	
26	£100	£3
27	£100	£7
28	£100	£10
29	£100	£14
30	£100	£18
31	£100	£22
32	£100	£26
33	£100	£29
34	£100	£33
35	£100	£36
36	£100	£39
37	£100	£43
38	£100	£47
39	£100	£52
40	£100	£56
41	£100	£60
42	£100	£65
43	£100	£69
44	£100	£73
45	£100	£77
46	£100	£81
47	£100	£85
48	£100	£89
49	£100	£93

Part 3 Paragraph 2.6(e) Sleeping-in Duty Payment

1 January 2015
£34.00

RATES OF PROTECTED ALLOWANCES AT 1 JANUARY 2015 (FORMER APT&C AGREEMENT (PURPLE BOOK))

Paragraph 28(3) Nursery Staffs in Educational Establishments - Special Educational Needs Allowance

1 January 2015
£1,215

Paragraph 28(14) Laboratory / Workshop Technicians
City and Guilds Science Laboratory Technician's Certificate Allowance
1 January 2015
£197

City and Guilds Laboratory Technician's Advanced Certificate Allowance

1 January 2015
£144

Paragraph 32 London Weighting and Fringe Area Allowances £ Per Annum

Inner Fringe Area
1 January 2015
£824

Outer Fringe Area
1 January 2015
£573

Paragraph 35 Standby Duty Allowance - Social Workers (1)(a)(i) Allowance per Session

1 January 2015
£27.35

FORMER MANUAL WORKER AGREEMENT (WHITE BOOK)
Section 1 Paragraph 3 London and Fringe Area Allowances £ Per Annum

Inner Fringe Area	**1 January 2015** £824
Outer Fringe Area	**1 January 2015** £573

Technical issues related to the non-consolidated payments

1. The payments are subject to the normal tax and national insurance requirements and are pensionable

2. The payments should be paid only to those employees who are in post on 1 December 2014. The payments are not 'back pay', so should not be paid to any employees who leave employment before 1 December

3. The payments should be paid on a pro-rated basis according to each council's established procedure for remunerating part-time employees

4. The payments should be paid to employees on SCPs 5, 6, 7, 8, 9 and 10 as indicated regardless of whether councils are already applying some form of Living Wage supplement

5. The payments should be paid to those on maternity leave whether in the paid or unpaid period at full rate (subject to appropriate pro-rating)

6. The payments should be paid to those on long-term sickness absence (even if on nil pay)

7. The payments should be paid at the relevant rate based on the current SCP at 1 December 2014, eg. an employee on SCP7 acting up to SCP12 should get the payment that applies to SCP12

8. The payments should be paid to those on adoption leave and parental leave

9. The payments should not be paid to employees on a career break at 1 December 2014

10. The payments do not apply to employees who are being paid above SCP49

11. If an employee has more than one contract, the payments should be paid pro-rata on each contract

Subject to any other exclusions, the payments should be paid to all employees whose pay is set in accordance with NJC for Local Government Services pay arrangements, regardless of whether they are on permanent or temporary contracts.

SCP	1 April 2016		1 April 2017	
	per annum	per hour*	per annum	per hour*
6	£14,514	£7.52	£15,014	£7.78
7	£14,615	£7.58	£15,115	£7.83
8	£14,771	£7.66	£15,246	£7.90
9	£14,975	£7.76	£15,375	£7.97
10	£15,238	£7.90	£15,613	£8.09
11	£15,507	£8.04	£15,807	£8.19
12	£15,823	£8.20	£16,123	£8.36
13	£16,191	£8.39	£16,491	£8.55
14	£16,481	£8.54	£16,781	£8.70
15	£16,772	£8.69	£17,072	£8.85
16	£17,169	£8.90	£17,419	£9.03
17	£17,547	£9.10	£17,772	£9.21
18	£17,891	£9.27	£18,070	£9.37
19	£18,560	£9.62	£18,746	£9.72
20	£19,238	£9.97	£19,430	£10.07
21	£19,939	£10.33	£20,138	£10.44
22	£20,456	£10.60	£20,661	£10.71
23	£21,057	£10.91	£21,268	£11.02
24	£21,745	£11.27	£21,962	£11.38
25	£22,434	£11.63	£22,658	£11.74
26	£23,166	£12.01	£23,398	£12.13
27	£23,935	£12.41	£24,174	£12.53
28	£24,717	£12.81	£24,964	£12.94
29	£25,694	£13.32	£25,951	£13.45
30	£26,556	£13.76	£26,822	£13.90
31	£27,394	£14.20	£27,668	£14.34
32	£28,203	£14.62	£28,485	£14.76
33	£29,033	£15.05	£29,323	£15.20
34	£29,854	£15.47	£30,153	£15.63
35	£30,480	£15.80	£30,785	£15.96
36	£31,288	£16.22	£31,601	£16.38
37	£32,164	£16.67	£32,486	£16.84
38	£33,106	£17.16	£33,437	£17.33
39	£34,196	£17.72	£34,538	£17.90
40	£35,093	£18.19	£35,444	£18.37
41	£36,019	£18.67	£36,379	£18.86
42	£36,937	£19.15	£37,306	£19.34
43	£37,858	£19.62	£38,237	£19.82
44	£38,789	£20.11	£39,177	£20.31
45	£39,660	£20.56	£40,057	£20.76
46	£40,619	£21.05	£41,025	£21.26
47	£41,551	£21.54	£41,967	£21.75
48	£42,474	£22.02	£42,899	£22.24
49	£43,387	£22.49	£43,821	£22.71

*****hourly rate calculated by dividing annual salary by 52.143 weeks (which is 365 days divided by 7) and then divided by 37 hours (the standard working week in the National Agreement 'Green Book')

Part 3 Paragraph 2.6(e) Sleeping-in Duty Payment:

1 April 2016	1 April 2017
£34.34	**£34.68**

RATES OF PROTECTED ALLOWANCES AT 1 APRIL 2016 and 1 APRIL 2017 (FORMER APT&C AGREEMENT (PURPLE BOOK))

Paragraph 28(3) Nursery Staffs in Educational Establishments - Special

Educational Needs Allowance

1 April 2016	1 April 2017
£1,227	**£1,239**

Paragraph 28(14) Laboratory / Workshop Technicians

City and Guilds Science Laboratory Technician's Certificate Allowance:

1 April 2016	1 April 2017
£199	**£201**

City and Guilds Laboratory Technician's Advanced Certificate Allowance:

1 April 2016	1 April 2017
£145	**£146**

Paragraph 32 London Weighting and Fringe Area Allowances £ Per Annum

Inner Fringe Area:

1 April 2016	1 April 2017
£832	**£840**

Outer Fringe Area:

1 April 2016	1 April 2017
£579	**£585**

Paragraph 35 Standby Duty Allowance - Social Workers (1)(a)(i) Allowance - Per Session

1 April 2016	1 April 2017
£27.62	**£27.90**

FORMER MANUAL WORKER AGREEMENT (WHITE BOOK)

Section 1 Paragraph 3 London and Fringe Area Allowances £ Per Annum

Inner Fringe Area:

1 April 2016	1 April 2017
£832	**£840**

Outer Fringe Area:

1 April 2016	1 April 2017
£579	**£585**