

# **COLLECTIVE AGREEMENT BETWEEN UNISON, NEU AND NYCC ON THE PAY & REWARD CHANGES TO TERMS AND CONDITIONS OF EMPLOYMENT**

## **INTRODUCTION**

This Collective Agreement was originally revised in April 2011 to incorporate changes to terms and conditions resulting from negotiations with UNISON and outcome of membership ballot. It is updated annually. The opportunity has now been taken to merge the local collective agreements for JNC and Soulbury terms and conditions. This is the update for April 2020 – March 2021, and supersedes previous collective agreements. The information given applies to all staff unless otherwise identified.

**During 2020/21 there is a commitment to address the following issues:**

- **Conclude weekend working allowance review and subsequently review weekend working arrangements as a consequence of HAS consultation on extended working hours**
- **Remove rolled up holiday pay**
- **Review notice during probation**
- **Review car lease scheme to widen aligned with emissions reduction**
- **Conclude the review of holiday pay for term time workers as a result of the Brazel case (see Appendix 7)**

## **COVERAGE**

All employees of NYCC covered by the NJC for Local Government Services and those on JNC Youth & Community and Soulbury terms and conditions.

## **SUMMARY OF MAIN CHANGES AT THE REVIEW IN APRIL 2020**

- Standby - from 1<sup>st</sup> April 2020 employees who undertake standby will be paid £24 for a single full standby session and £12 for a short standby session.
- Staff on less than full year contracts (generally term time only) are entitled to at least the full statutory paid holiday entitlement, 5.6 weeks (Appendix 7).
- Statement of particulars updated to reflect national requirements
- Reintroduction of paused accelerated increments from 1/4/2020
- Inclusion of the Memorandum of Understanding to meet Covid-19 requirements (Appendix 6).

## **SUMMARY OF LOCAL COLLECTIVE AGREEMENT**

1. Incentive Payments
2. Increments
3. Unsocial Hours
4. Allowances
5. Flexible Benefits
6. Notice Periods
7. Transport
8. Subsistence Rates
9. Annual Leave Provision
10. Flexible Working

- 11. Job Evaluation Scheme
- 12. Pay
- 13. Pay protection arrangement
- 14. Pay and reward budget
- 15. Reviews
- 16. Quality Assurance

1. **Incentive Payments:** The scheme is as follows:
  - 1.1 **Thank You Payments** –Directorates continue to reward exceptional performance either individually or team based from their budgets. Schools will decide if and how they wish to apply the scheme.
  - 1.2 **Long Service Awards** –Letters of recognition and certificates are given to employees who meet the milestones and ceremonies held as outlined in the scheme. Schools will decide if and how they wish to apply the scheme.
  - 1.3 **Incentive payments scheme:** As well as the option of accelerated incremental progression, there are one-off and time-limited arrangements which do not form part of the employee's permanent salary. They are not contractual but are subject to Income Tax, National Insurance and Superannuation deductions and are generally pensionable.
  - 1.4 Following a 16/17 review of sales related bonuses for staff in selling roles, there was no agreement for bonuses to apply at NYCC.
  
2. **Increments:**

The scheme provides managers with a framework to review individual contribution. Increments are only awarded if the employee meets the performance criteria. Satisfactory performance includes having an acceptable appraisal and not being subject to any conduct or capability concerns/processes and meeting attendance criteria (defined as 7 days in the last 12 months or averaged over 3 years at 21 days). Those who do not meet the criteria will not receive an increment. These criteria also apply to employees already at the top of the pay grade who drop by 1 increment if it is determined by their manager that they do not meet the criteria.
  
3. **Unsocial Hours (NJC only):**

Staff up to Grade H, new scp 23, are able to claim additional allowances for weekend and night working, and for any additional hours worked.

  - 3.1 Managers have a range of options for such categories of work such as Standby and On-Call, Sleeping-in etc. These arrangements cover already agreed and implemented features of the Single Status Agreement from 2002.
  - 3.2 Any additional hours worked are paid at the flat rate. For posts beyond new scp 23 up to and including new scp 44 or up to FTE hours for part-time staff on higher pay grades, additional hours can be applied at flat rate where there is a clear and short-term project requirement for a piece of work to be completed.
  - 3.3 Weekend working payments/allowances are paid as a fixed monthly payment where eligible employees are required to work on a Saturday and/or a

Sunday. The payment is calculated to reflect the number of weekend days worked per month, averaged over the full year, as follows:

<b>Weekend days worked</b>	<b>Additional Pay as % of Salary</b>
1 or 2 weekend days per month	3%
3 or 4 weekend days per month	5%
5 or more weekend days per month	7%

Employees will no longer make claims for any additional weekend working.

- 3.4 Work on public holidays - employees required to work on Christmas Day, Boxing Day and/or New Year's Day will receive double time payment based on basic pay only and time off in lieu at single time for the actual hours worked on the public holiday.

Payment for working on other public and statutory holidays is time and a half based on basic pay only with time off in lieu at single time for the actual hours worked on the actual public holiday.

Any subsequent unsocial hours' enhancement, e.g. night work, is calculated separately on basic hours and only on those hours worked on the actual public holiday.

- 3.5 Night working – the definition as agreed is:  
The premium payment for night work is time and a third for shift worked between the hours of 9.30 p.m. and 8.00 a.m. This applies to genuine 'full night shifts' only and does not apply to employees who 'finish late' e.g. 10.30pm or 'start early' e.g. 6.00am. The night shift payment is for a maximum of 10 hours per shift.  
This applies to:
- Any day employee temporarily required to work at night
  - Designated night workers.
- 3.6 Emergency Duty Team exceptions to the unsocial hours' arrangements as set out above have been agreed and details are set out in Appendix 1.
- 3.7 Highways, Duty Engineer out of hours working arrangements have been agreed and are as set out in Appendix 2.
- 3.8 Customer Service Specialist Adviser (EDT) exception to weekend working and compulsory unpaid leave agreed as set out in Appendix 3.
- 3.9 Holiday pay – see Appendix 4. Further clarification on what elements of normal pay are used in assessing holiday pay and sick pay. This appendix 4 reflects the agreement to pay an additional 7.69% on Standby, sleep in, residential payments and lettings payments, and mandatory additional hours.

#### **4. Allowances:**

- The following allowances will be increased in line with NJC pay increases going forward:

- First aid
- Cycle
- Lettings payments
- Legionella and asbestos
- Minibus allowances

Only the allowances below exist (to be updated when pay award agreed):

- First Aid - £11.67 per month
- Telephone Rental – only paid in exceptional circumstances (see Travel and Expenses policy)
- Lettings – As per Single Status Agreement 2002 amounts as subsequently reviewed.

School size	Rate
Up to 1,800m <sup>2</sup>	1 hour basic rate
Between 1,800m <sup>2</sup> and 3,000m <sup>2</sup>	£16.99 per letting
Between 3,001m <sup>2</sup> and 6,500m <sup>2</sup>	£22.65 per letting
Larger than 6,500m <sup>2</sup>	£28.29 per letting

- Cycle - £2.32 per week
- Practice Teaching Allowance for Social Workers - £6 per day plus £90 per direct observation.
- Market supplement – dependent upon regular review and agreement by Management Board.
- Minibus driving allowance where this has not been factored into the job evaluation score for the post of £5.39 per occasional duty or £32.39 per month for weekly/monthly duties providing the necessary licence is held.
- Allowance for legionella and asbestos responsibility – £14.39 per hour for employees who carry out this additional activity once a month where this is NOT an integral part of the job description of the post.

**5. Flexible Benefits:** The flexible benefits system is managed by an external provider. It provides employees with life-style discounts enabling more cost effective use of salary as an employee of the authority and includes salary sacrifice schemes.

**6. Notice Periods:**

**NJC:** The contractual notice periods are as follows:

For staff up to and including Grade J - 1 month

For staff in pay Grades K, L & M - 2 months

For staff in and above Grade N - 3 months

**JNC:** The contractual notice period is as follows:

All staff are required to give 2 months' notice.

**Soulbury:** The contractual notice period is as follows:

All staff are required to give 3 months' notice.

**7. Transport:**

7.1 A scheme exists to provide a lease car to limited occupational groups of staff as designated (Care and Support Workers, Enforcement Officers, Contact

Facilitators). The car is attached to the post and not the staff member. Mileage for lease cars is at a rate of 11p.

- 7.2 Staff can access a voluntary individual lease car via a salary sacrifice scheme.
- 7.3 A local car allowance scheme applies with a flat rate of 42p for up to 10,000 miles and 25p per mile thereafter.
- 7.4 The provision of preferential loans for staff via the voluntary benefits scheme instead of an in-house scheme for essential users.
- 7.5 Cycle Allowance – see section 4.
- 7.6 Travel expenses are available to support staff redeployed to an alternative location where travel costs are increased for 1 year. See Redeployment policy.
- 7.7 Motorcycle mileage rate is different to car mileage; consideration was given to updating this as per HMRC rate. HMRC indicate rate should be 24p per mile. We currently pay a rate that is based (historically) on the cc of the engine:
  - 0 – 49 = 10.20p per mile
  - 50 – 125 = 15.80p per mile
  - 126 – 250 = 22.70p per mile
  - 251 and over = 29.80p per mile
- 7.8 Consideration of alternative mileage rate for hybrid and electric cars – currently the HMRC judge the use of own cars as allowable for AMAP i.e. Authorised Mileage Allowance Payments (AMAPs), and, if the employer pays less than the published rates, may claim tax relief under Mileage Allowance Relief (MAR). Agreed no change to current practice.

#### **8. Subsistence Rates:**

Subsistence rates were reviewed and increased from 1/4/08. The only change related to London Bed and Breakfast. Rates are as follows:

Breakfast	£6.50
Tea	£3.50
Dinner	£11.00
Bed and Breakfast	£76.50
London Bed and Breakfast	£110.00

#### **9. Annual Leave provision (pro rata):**

In calculating annual leave, service accrued with other organisations recognised for continuous service as per current practice will be included as long as there has been no break in service.

All staff take 2 days' unpaid leave wherever possible between Christmas and New Year. If this is not possible the 2 days should be taken at another time in the year. The cost to staff of this 2 days' pay will be spread across the year in terms of pay deductions to limit the financial impact on staff. If the service requires any absence to be covered, resulting in additional costs then unpaid leave will not apply. It is expected this covers a minority of posts eg care staff in residential services.

NJC Annual leave is apportioned as follows:

Continuous Service length	Days leave per year
0-2 years	24
3 years	25
4 years	26

5 – 9 years	27
10 - 14 years	30
15 years /+	33

Pro rata for part-time staff, but minimum 5.6 weeks for part year employees

JNC staff:

Continuous Service length	Days leave per year
0 - 4 years	32
5 years /+	37
Pro rata for part timers.	

Soulbury staff:

Continuous Service length	Days leave per year
0 - 14 years	32
15 years /+	33
Pro rata for part timers.	

## 10. Flexible Working:

NJC & JNC staff:

For staff who can utilise the Flexitime Scheme the annual flexi-leave available is 12 days per leave year. Flexitime is limited to staff up to and including Grade N for NJC.

Soulbury staff:

May operate a TOIL system aligned to the flexi time scheme to take account of Service context.

## 11. Job Evaluation Scheme (NJC only):

- 11.1 Job evaluation was implemented fully on 1<sup>st</sup> April'07 with an agreed pay model based on Job Evaluation score ranges set out within locally agreed pay grades but uses the National spine and spinal column points.
- 11.2 The process was agreed based on the UNISON ballot in 2005 to use Hay and NJC. The interface between the two schemes is addressed by applying a multiplier and taking the most appropriate of 2 scores where they exist.
- 11.3 A review process exists for staff who query or challenge their scores. This review process is compliant with the statutory grievance process and is an alternative to the Resolving Issues at Work Procedure for the review of JE results only. Where the complaint/concern does not relate to the JE score then the Resolving Issues at Work Procedure applies.
- 11.4 Job evaluation is an integral part of the grading process at the County Council and is linked to the recruitment of new posts or changed posts with recruitment only taking place into posts with a valid JE score. Schemes continue to be used in the same way but the paperwork and panel arrangements have been reviewed to streamline the process. There are trained HR and Unison representatives who continue to be involved in job evaluations.

## 12. Pay

- 12.1 NJC pay award from Apr 2018 introduced a new national pay spine from 1<sup>st</sup> April 2019. A working group with Unison reached agreement on a new grading structure

replacing all NJC pay bands from Band 1 to Director 3. The new Grades A to N, SM1 and SM2, AD1, AD2 and AD3 and DIR1 and DIR2, is attached as Appendix 5

- 12.2 Apprentice Pay for entry level apprentices updated from April 2020 to match the nationally agreed apprentice pay rate in months 1-6 but increase in months 7-12 to the National rate for 18-20 year olds:

Time in post	Salary
0 – 6 months	£4.15ph equivalent to £153.55 per week (37 hr week)
7 – 12 months	£6.45ph equivalent to £238.65 per week (37 hr week)
After 12 months	Full salary for the post occupied

This equates to a total annual salary of £10,224.65 per annum.

- 12.3 JNC pay award of 2% which covers the period 1st Sep 18 to 31 Aug 19 and 1st Sep 19 to 31 Aug 20. An increase of 2% on all points except a higher increase on pay points 2-6 in the 1<sup>st</sup> year and points 3-6 in the 2<sup>nd</sup> year with the deletion of pay point 2. Sleep in allowance as per the NJC 2018-20 pay agreement (£36.08 at 1<sup>st</sup> April 2019). A further 2.75% effective 1<sup>st</sup> Sept 20.
- 12.4 Soulbury pay award of 2% each year over 2 years from 1<sup>st</sup> Sep 18 and then 1<sup>st</sup> Sep 2019 - 31 Aug 20. A further 2.75% effective 1<sup>st</sup> Sept 20.
- 12.5 An amendment to the normal pay definition to include non-guaranteed mandatory overtime as set out in Appendix 4. A new system for claiming these mandatory additional hours commenced 1<sup>st</sup> Oct 15 and was subsequently updated in Apr 17.
- 12.6 Sessional pay arrangement for staff providing ceremonies at weekends and public holidays within the Registration Service commenced in 2010, see Appendix 8.

### 13. Pay Protection Arrangements

- 13.1 The protection of earnings period for employees redeployed into lower graded posts is 1 year. Payment for schools based staff is at the discretion of the school.
- 13.2 The protection of excess home to work mileage when an employee's work base changes compulsorily is 1 year.
- 13.3 The protection for car parking charges where a work base move has required a move from a base where there was free parking to one where there is only access to charged parking, reasonable car parking charges at the new work base, agreed with line manager, will be claimable for 1 year from the date work commenced at the new work base.

### 14. Pay and Reward budget

As a result of the County Council's budget deficit starting in 2010 it was agreed that any on-going and rollover underspend from the Pay and Reward budget as of '09/10 and any further underspend at end '10/11 was allocated to contribute to the budget deficit. This was agreed with UNISON following a membership ballot on the issue.



## **15. Reviews**

- 15.1 Where required areas of this agreement will be formally reviewed in 2021.
- 15.2 Any further financial savings resulting from these pay and reward changes will be fully invested in other elements of the package as determined with UNISON via the review process.
- 15.3 The changes to terms and conditions negotiated and agreed with UNISON following a membership ballot in March'11 resulted in savings of £2m and are permanent unless reviewed and renegotiated with UNISON as part of the collective bargaining arrangements.

## **16. Quality Assurance**

Pay and reward is subject to a monitoring process throughout the year and UNISON will be involved in this and in considering the outcomes this monitoring produces. Policy review changes are consulted on with NUT through professional association meetings held quarterly.

### **BACKGROUND DETAIL**

For further information, reference should be made to the following documents:

- Pay and Reward Booklet March 2012, January 2015
- Employee Pay and Reward Booklet 2007 (historical reference point)
- Pay, Leave and Benefits on the Intranet
- Everybody Benefits Intranet page
- Collective Agreement April 2007, 2009, 2011, 2012, 2013, 2016, 2017, 2018, 2019

### **RELATED POLICIES**

- Grading and Re-grading Process
- Increments Guidance
- Increments Appeals Process
- Incentive Payment Scheme
- Long Service Award Policy
- Corporate Pay Policy
- Soulbury Structured Professional Assessment Policy
- Recruitment and Retention Payments Scheme
- Travel and Expenses Policy
- Restructuring, Redeployment and Redundancy Policy

### **IMPLEMENTATION**

- Implementation from 1<sup>st</sup> April 20 for all staff with an annual review.
- UNISON and NYCC are jointly committed to on-going dialogue on terms and conditions.
- NUT and NYCC are jointly committed to on-going dialogue on terms and conditions.
- This is the latest version updated March 2020 for next review April 2021.



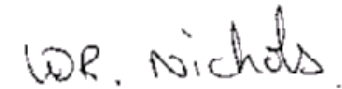
Signed on behalf of The County Council:

Richard Flinton  
Chief Executive Head of Paid Services

Date 23/02/2021



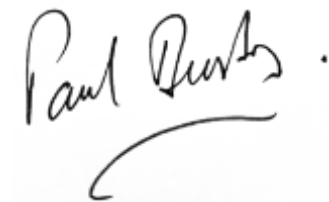
Signed on behalf of The UNISON Branch:



Wendy Nichols  
UNISON Branch Secretary (for NJC and JNC terms and conditions staff)

Date 25.3.21

Signed on behalf of the NEU:



Name  
NEU Secretary (for Soulbury terms and conditions staff)

Date 20.5.21

## APPENDIX 1

### Health & Adults Services Emergency Duty Team (EDT)

#### Purpose

The purpose of the EDT is to deliver an emergency social care service to all customer groups outside of recognised office hours in North Yorkshire and the City of York. The aim is to make customers safe until the next working day, maintaining statutory requirements, working to children's and adults social care legislation. The EDT acts as a source of professional advice to various agencies and individuals and provides availability for fieldwork staff undertaking duties themselves when area offices are closed. EDT staff triage and respond to emergency contacts outside of usual working hours which may result in the need for visits, either independently or in partnership with other agencies.

#### Unsocial hours

The requirement to work unsocial hours including evenings, overnight, weekends and bank holidays will undoubtedly attract some applicants as a lifestyle choice but pay arrangements reflect the challenges of recruiting from a limited pool of candidates.

The EDT covers all periods outside normal office hours.

Monday to Thursday	17.00 to 08.30 hours
Friday/Saturday/Sunday	16.30 Friday to 08.30 Monday
Also 24 hour cover on Bank Holidays	

There is a manager consultation rota in place whenever the EDT is operational in order to provide access to supervision, support and professional advice.

#### EDT Job Roles

**EDT Social Workers (Grade K)** Part of the core, established Social Work team on duty rota. These staff provide an overall Social Work service across all customer groups and ages. The purpose of the Grade K role is to provide an internal pipeline of candidates with potential to progress through Approved Mental Health Practitioners (AMHP) training.

**EDT Social Workers Approved Mental Health Practitioners (AMHP) (Grade L)** Part of the core, established Social Work team on duty rota. These staff provide an overall Social Work service across all customer groups and ages, additionally providing a statutory Mental Health Act response.

**Relief EDT Social Workers (Grade K) & Relief EDT Social Workers (AMHP) (Grade L)** Provide cover to the duty rota, fulfilling the duties of the core Social Work (AMHP if qualified) team.

**Auxiliary EDT Social Workers (Grade K) & Auxiliary EDT Social Workers (AMHP) (Grade L)** Work to a separate Auxiliary stand by rota. The Auxiliary role provides additional capacity to the service at busy times, undertaking tasks and visits as required, working across all customer groups and ages. Auxiliary staff on the stand by rota work from home, and can be called on by the core team to undertake work when the service requires.

**Specialist Social Care Advisors** are employed as part of the Customer Service Centre in NYCC and provide office based support at peak times during the evening and at weekends. N.B. The pay arrangements outlined in this Appendix do not apply to the Specialist Advisors because their employment is within the Customer Service Centre.

Established team members are on a duty rota. All core members of the team are Approved Mental Health Professionals (AMHP) or are required to undertake training to achieve AMHP status if they are recruited without this qualification. Separate secondment guidance sets out the relevant pay arrangements. Auxiliary staff operate on a separate Auxiliary stand by rota.

**Pay elements which apply to the different EDT roles.**

Team Posts	Pay Method	Duty Rota				Stand by Rota	
		EDT Social Worker	EDT Social Worker AMHP	Relief EDT Social Worker	Relief EDT Social Worker AMHP	Auxiliary EDT Social Worker	Auxiliary EDT Social Worker AMHP
<b>Contract Type</b>		Established		Relief		Sessional	
<b>Pay Grade</b>		K	L	K	L	K	L
<b>Pay Elements</b>		<b>Eligibility</b>					
<b>Basic Pay</b>	Fixed Pay	As per pay grade				Sessional hourly rate (x1.5) of SCP 31 or 34	
<b>Additional Hours</b> At basic hourly rate for post	My View Claim	Y		N/A			
<b>Unsocial Hours</b> An enhancement of 20% for all basic and additional hours worked for employees who provide full rota cover.	Fixed pay	Y				Included in the sessional rate	
<b>Standby Payments</b> NJC Social Worker standby allowance (currently £29.03) per session	My View Claim	N/A				Y	
<b>Public Holidays</b> 25-26 Dec/1 Jan – x2 Other PH's – x1.5 + TOIL x1 for hours worked No additional weekend or night enhancement	My View Claim	Y				Additional Sessional Payment (x0.5) per hour only on 25-26 Dec/1 Jan. Other public holidays included in the sessional rate.	
<b>AMHP Market Supplement</b> Currently £200/month pro rata for part time staff	Fixed Pay	N	Y	N			

**Basic Pay**

- An **established Social Worker AMHP** will be appointed to Grade L (SCP 32-36) and will be eligible for progression in line with the increments policy.
- An **established Social Worker without the AMHP** qualification will be appointed to Grade K (SCP 29-32) and will be eligible for progression in line with the increments policy. Once

the AMHP qualification is achieved the employee will progress to a Grade L Social Worker AMHP post.

- A **relief Social Worker AMHP** will be appointed to Grade L (SCP 32-36). All relief hours are inclusive of holiday pay entitlement.
- A **relief Social Worker without the AMHP** qualification will be appointed to Grade K (SCP 29-32). All relief hours are inclusive of holiday pay entitlement.
- An **Auxiliary Social Worker AMHP** will be appointed to Grade L (SCP 34). An **Auxiliary Social Worker without the AMHP** qualification will be appointed to Grade K (SCP 31). Basic pay for both is a sessional rate based on 1.5 times the hourly rate of the SCP. This sessional rate is enhanced to recognise the inconvenience of night and weekend working and includes an element for holiday pay and public holidays. There is no further enhancement to the sessional rate\*.

*\*except for Christmas Day, Boxing Day and New Year's Day working, see below.*

### **Additional Hours**

- **Established Social Worker staff** (Grade K and L) who work extra hours at the beginning or end of a shift or to cover an additional shift will claim these hours at single time rate\*.
- **Relief Social Worker staff** (Grade K and L) have no contracted hours and so claim all hours worked as basic relief hours inclusive of holiday pay entitlement.
- **Auxiliary Social Worker staff** (Grade K and L) have no contracted hours and so claim all hours worked at the sessional hourly rate.

*\*if they meet the criteria Unsocial Hours and/or Bank Holiday supplements can be claimed for these additional hours, see below.*

### **Unsocial Hours**

- **Established Social Worker staff** and **Relief Social Worker staff** (Grade K and L)

EDT staff cover all hours outside normal office hours with a significant proportion of their contracted hours at night (i.e. between 9.30pm – 8:00am) or at the weekend (Saturday and Sunday). EDT staff who participate fully in the evening, night and weekend rota are entitled to an unsocial hours enhancement of 20% on all hours worked.

EDT staff who, as an exception, do not participate fully in the rota should claim weekend and night enhancements in line with the corporate pay policy.

This **Unsocial Hours** payment reflects:

5% weekend enhancement for staff who work 3 or 4 weekend days per month, and 15% night working enhancement for staff who work between 40% and 50% of their hours at night\*

*\*equivalent to time and 1/3<sup>rd</sup> on night hours worked between 9.30pm and 8.00am to a maximum of 10 hours per shift as per the pay policy*

- **Auxiliary Social Worker staff** (Grade K and L) have a sessional pay rate already enhanced to recognise the inconvenience of night working. There is no eligibility to further enhancements to the sessional rate.

### **Standby Duty**

- **Auxiliary Social Worker staff** (Grade K and L) are paid for each session of on standby duty at the NJC Stand By for Social Workers rate, currently £29.83 (20/21). Hours worked on standby are claimed according to the pay policy, ie rounded to the nearest half hour and subject to a minimum 2 hours, except they are paid at the Auxiliary sessional rate.

- **Established and relief Social Workers** (Grade K and L) are not required to undertake standby duty.

The EDT management consultation arrangements are consistent with the corporate pay policy, and attract a stand by supplement of £24 for each single duty. Hours worked will be reimbursed as per the corporate pay policy, at a maximum Grade N irrespective of the grade of their substantive post.

### Public Holidays

The EDT duty rotas will include public and statutory holidays. The usual rota arrangements will see an adjustment to accommodate the need for daytime cover when the public or statutory holiday falls on a weekday and normal offices are closed.

- **Established and relief Social Workers** (Grade K and L) are paid in accordance with the corporate pay policy for work on a public or statutory holiday. No additional 'unsocial hours' enhancement is applied on a public or statutory holiday.
- **Auxiliary Social Worker staff** (Grade K and L): who work on Christmas Day, Boxing Day and New Year's Day will be paid an additional sessional payment per hour equivalent to 0.5 times the basic hourly SCP rate. Hours worked on other public holidays will be not be paid any additional enhancement.

SCP (from 1 April 2020)	31	34
Basic rate £/hr	£18.00	£19.64
Sessional rate £/hr	£27.00	£29.46
Additional rate £/hr 25 <sup>th</sup> , 26 <sup>th</sup> Dec & 1 <sup>st</sup> Jan	£9.00	£9.82

### Market Supplements

A market supplement of £200 per calendar month, pro rata for part time staff, is paid to established Social Worker AMHP staff only, in accordance with corporate pay policy and subject to regular review.

### Management posts

- The EDT Manager does not cover the EDT rota and is not eligible to receive 'unsocial hours' enhancements
- The EDT Team Leader covers the EDT rota and is eligible for 'unsocial hours' enhancements
- The market supplement is paid only to the established Social Worker AMHP and so does not apply to EDT Team Leader or Manager

## **APPENDIX 2**

### **Business and Environmental Services - Highways and Transportation Pay arrangements for Duty Engineer out of hours working**

#### **Background**

The Winter Maintenance service is covered by Standby Arrangements from 1st October to mid-April. The period is covered by a rota of Highway Inspectors and Duty Engineers. This arrangement only applies to the role of Duty Engineer. The arrangements for the Highways Inspectors is covered by the pay and reward booklet.

The Duty Engineer rota is covered by the Area Manager (SM1), Maintenance Manager and Improvement Manager (both at Grade N) covering each of the seven Areas, thereby covering one week in three.

The duties which are covered by this arrangement are a statutory requirement for the County Council and include both planned and reactive activities which occur during the normal working day and extend through the night/early morning. There is a significant cost implication to the decisions made when carrying out these duties and the potential risk to life in making the wrong decision or in failing to carry out the duties detailed below.

#### **Responsibilities of the Duty Engineer**

The Duty Engineer is the out of hours contact for the Meteogroup who provide our weather forecasts. He/she is responsible for receiving any out of hours' calls relating to forecast changes and for making decisions on gritting operations within their area. Their role includes:

- Receiving daily lunchtime forecasts on weekends/bank holidays, making decisions on that forecast and giving instruction to the Contractor accordingly.
- Receiving formal evening updates on the forecast every day, reviewing decisions based on the update and instructing the Contractor accordingly.
- Being able to receive out of hours calls at any time from the Meteogroup on forecast changes and reviewing decisions/giving instructions accordingly.
- Receiving out of hours calls from the Police on reports of weather related hazardous conditions and taking appropriate action in response.
- Respond to emergencies and incidents as they occur.

There are fewer Area Managers than Maintenance and Improvement Managers across the County. Therefore when the Area Managers are on the Duty Engineer rota they have a larger geographical area to manage than the Maintenance and Improvement Managers do when they are on rota.

Furthermore the Area Managers have additional duties relating to countywide co-ordination. This includes them liaising with the Meteogroup about the overall forecast and managing the impact this has on the countywide situation.

#### **Payment arrangements**

The Standby Allowance payable for each standby duty is £24.

In addition to the Standby Allowance, the Duty Engineers receive a nominal payment of four additional hours in lieu of additional hours for each week they are on the rota.

## **APPENDIX 3**

### **Pay arrangements for Customer Service Centre Specialist Advisers for EDT**

#### **Principles**

The post holder will work directly with members of the Emergency Duty Team and will deal with contacts for North Yorkshire and the City of York. The Emergency Duty Team (EDT) covers all periods outside normal office hours. The service is office-based.

Monday to Friday 5pm – 10pm

Bank holidays, Saturday and Sunday 9am – 10pm

Rotas to cover out of hours working

Grade I

Job purpose is to provide a central point of contact for members of the public, voluntary and statutory agencies and to facilitate access to services provided by Local Government. The post holder is responsible for receiving and processing all enquiries and requests for service in line with local and central government requirements. The post holder will give advice and information related to services provided by other statutory and voluntary agencies, where appropriate to do so.

#### **Weekend Working**

An exception to weekend working pay policy in the same way as EDT staff are exempt as agreed within the Collective Agreement – Appendix 1.

The weekend working policy restricts pay for working at weekends to a maximum of Grade H. As these employees are at Grade I, they would not be eligible for the weekend working payments. However, they will regularly work weekends as the service will mirror the EDT working arrangements. The Specialist Advisors will work an average of 3 or 4 weekend days per month over the year, and therefore a payment of **5%** of their monthly basic salary is paid in recognition of this.

#### **Compulsory Unpaid Leave**

To be exempt from compulsory unpaid leave, as the service will need to provide cover at all times for the Out of Hours Service and will incur costs that negates any savings. The cost of cover would be much greater than any saving associated with the 2 days' unpaid leave.



## APPENDIX 4

### Holiday Pay

#### Background

Changes to holiday payments were negotiated in two separate sessions. NYCC and Unison reached agreement in October 2015 to make an additional payment on a quarterly basis to reflect mandatory additional hours worked (those linked to sleep in or standby duties) as set out below. In January 2016 Unison requested that other regular payments should be included in the calculation of holiday pay, namely sleep in and stand by allowances, night work and lettings payments.

**2015 Agreement - Non-guaranteed mandatory overtime** (which the employer is not required to offer, but if offered the employee is required to work) will be included in the normal pay definition. Any such non-guaranteed mandatory additional hours will be claimed separately from other additional hours and will be included in all calculations of leave pay (annual leave, sick leave etc). Employees who are required to work additional hours as part of their contractual terms eg to cover winter maintenance duties, will be able to claim these additional hours as non-guaranteed mandatory overtime. Employees who are required to work additional hours as part of a sleep in, stand by or on call duty will be able to claim these additional hours as non-guaranteed mandatory overtime. All other casual and voluntary additional hours will continue to be excluded from normal pay calculations.

Employees should not be asked to work regular additional or relief hours, on a casual basis. As an example, if additional or relief hours are worked regularly in a 12 week period, and the need for the additional hours is on-going, the employee should be offered a temporary or established contract to reflect the hours being worked. Full time employees should not be expected to work regular additional hours in excess of full time hours. Where there is a need for additional hours this should be met by using other resources eg. another part-time employee working additional hours, or recruiting an additional employee, or variable or annualised hours working. In exceptional circumstances, where a full term employee\* is offered and works additional hours regularly over a 12 week period, and the need for the additional hours is on-going, and cannot be incorporated into a variable or annualised hour's contract, the employee should be recompensed for these additional hours in any holiday entitlement.

\*For pay Grade N posts and above basic hours are as stated in the statement of particulars, but staff are expected to work the hours necessary to effectively undertake their professional duties consistent with the delivery of their role and outputs, as stated in appraisal and business target plans.

#### 2016 Agreement for implementation April 2017

**Sleep in, Standby and Lettings payments:** a holiday pay uplift on all claims for sleep in, stand by and lettings payment allowances, at the rate of 7.69%, equivalent to the 20 days Working Time Directive leave covered by case law divided by 260 possible working days.

**Implementation:** This uplift will be applied from 1<sup>st</sup> April 2017 for both schools and non-schools staff. It was further agreed that non-schools staff should have arrears payments for claims made for sleep in, standby or lettings allowances back to 1<sup>st</sup> October 2016, paid in April 2017. Schools were consulted with a view to applying the same arrears payments for schools' staff.

**Night work:** Night working enhancement is currently paid in 2 different ways. Those staff who are contracted to work their hours at night have all those hours uplifted for night working whether the hours are worked or employees are on leave. Holiday pay is therefore not an issue for these people. Employees who work night shifts on an occasional or ad hoc basis will not have this reflected in their holiday pay (and should not as it does not meet the test of 'normal pay'). Employees should have contractual arrangements that reflect their normal working. Staff who are being required to cover night duties on a regular basis should be moved to a contract which reflects this regular night working, thereby receiving automatic holiday pay.

**Mandatory additional hours:** All mandatory additional hours claimed will attract a holiday pay uplift of 7.69% at the point the hours are claimed based on 20 days Working Time Directive leave covered by case law divided by 260 possible working days.

**Contract type:** This agreement relates to staff on all contracts apart from those on relief or sessional contracts.

**APPENDIX 5**

**Grade Structure from 1<sup>st</sup> April 2019**

<b>New scp</b>	<b>Apr 20 Salary</b>	<b>Apr 20 Hourly rate</b>	<b>Pay structure agreed for 1st April 2019</b>	
1	£17,842	£9.25		GRADE A - 217-258
2	£18,198	£9.43	GRADE B - 259-308	GRADE C - 309-345
3	£18,562	£9.62		
4	£18,933	£9.81	GRADE D - 346-369	
5	£19,312	£10.01		
6	£19,698	£10.21		
7	£20,092	£10.41		GRADE E - 370-397
8	£20,493	£10.62	GRADE F - 398-422	
9	£20,903	£10.83		
10	£21,322	£11.05		
11	£21,748	£11.27		
12	£22,183	£11.50		
13	£22,627	£11.73		GRADE G - 423-447
14	£23,080	£11.96		
15	£23,541	£12.20		
16	£24,012	£12.45		
17	£24,491	£12.69		
18	£24,982	£12.95	GRADE H - 448-474	
19	£25,481	£13.21		
20	£25,991	£13.47		
21	£26,511	£13.74		
22	£27,041	£14.02		
23	£27,741	£14.38		GRADE I - 475-509
24	£28,672	£14.86		
25	£29,577	£15.33		
26	£30,451	£15.78	GRADE J - 510-550	
27	£31,346	£16.25		
28	£32,234	£16.71		
29	£32,910	£17.06		GRADE K - 551 - 587
30	£33,782	£17.51		
31	£34,728	£18.00		
32	£35,745	£18.53	GRADE L - 588-624	
33	£36,922	£19.14		
34	£37,890	£19.64		
35	£38,890	£20.16		
36	£39,880	£20.67		GRADE M - 625-713
37	£40,876	£21.19		

38	£41,881	£21.71		
39	£42,821	£22.20		
40	£43,857	£22.73	GRADE N - 714 - 941	
41	£44,863	£23.25		
42	£45,859	£23.77		
43	£46,845	£24.28		
44	£47,782	£24.77		
45	£49,320	£25.57		
46	£51,375	£26.63	NBSM1 - 942- 1043	
47	£53,302	£27.63		
48	£55,768	£28.91		
49	£57,376	£29.74		
50	£59,526	£30.86		NBSM2 1044-1190
51	£61,758	£32.01		
52	£64,074	£33.21		
53	£66,274	£34.35		
54	£67,815	£35.15		
55	£69,356	£35.95		
56	£70,743	£36.67		
57	£72,182	£37.42		NBAD1 1191-1320
58	£74,961	£38.86		
59	£77,847	£40.35		
60	£80,844	£41.91		
61	£84,769	£43.94	NBAD2 1321-1600	
62	£88,032	£45.63		
63	£91,422	£47.39		
64	£93,914	£48.68		
65	£96,585	£50.07		
66	£98,517	£51.07		NBAD3 1601-1760
67	£100,695	£52.20		
68	£103,778	£53.79	NBDIR1 1761-2015	
69	£107,773	£55.86		
70	£112,100	£58.11		
71	£114,001	£59.09		
72	£116,282	£60.28		
73	£118,604	£61.48		
74	£121,245	£62.85	DIR2,3 2016-2700	
75	£125,913	£65.27		
76	£130,749	£67.77		
77	£136,926	£70.98		
78	£141,023	£73.10		
79	£145,391	£75.36		
80	£150,015	£77.76		

81	£172,620	£89.48	CEX
82	£176,730	£91.61	
83	£181,148	£93.90	
84	£185,385	£96.10	

## **APPENDIX 6:**

### **Covid-19 Response – Memorandum of Understanding between North Yorkshire County Council and UNISON**

These are unprecedented times. Local government and its employees are at the forefront of the response to the Covid-19 emergency. Both the Council and UNISON recognise that this emergency will require changes to the way people work, and some of these changes will not be able to go through the usual level of consultation and/or negotiation with UNISON, the recognised trade union for NJC employees at North Yorkshire County Council.

However, both are mindful of the need to protect the good industrial relations that exist at the Council, and as such we have agreed some guiding principles to help inform decision making in the coming weeks and months. These principles will apply across the Council.

#### **Arrangements for consultation**

Meetings will take place at least weekly between UNISON and the Pay & Reward team for the duration of the emergency.

Any changes to existing agreements, policies and allowances will be recorded and will be temporary. Normal arrangements will resume as soon as possible, and changes will be reviewed monthly with UNISON.

Directorates will follow corporate policies and agreements, and will continue to hold regular DJCC meetings with the appropriate representative(s) from UNISON. Homeworking and non-essential roles Staff should follow the current government advice about working from home and about non-essential travel.

#### **Homeworking and non-essential roles**

Staff should follow the current government advice about working from home and about non-essential travel.

Where people cannot work from home, time spent in a workplace will be kept to the minimum necessary to perform essential or statutory duties. Where there are no essential or statutory duties to perform staff will be considered for deployment to support the Covid-19 response in other roles, or advised to go home.

Government advice about social distancing will be observed in all workplaces. Where personal contact is essential (such as a care setting), the appropriate government advice will be followed.

All meetings should be held remotely using technology wherever possible. There may be exceptional cases where a face-to-face meeting has to happen, in such cases current government advice on social distancing must be followed.

#### **Deployment and changes to roles**

Local collective agreements, joint advice issued by the NJC and requirements of the Green Book will be applied.

Staff who are no longer required in their normal roles, or their normal workplaces, can be deployed to support essential or statutory services across the council. Deployment to other roles, or changes to existing roles, will be proportionate, reasonable, and will take into account individual circumstances such as experience, qualifications, training, suitability, and location.

Any changes to roles (such as working patterns, shifts, pay, workplaces, duties, responsibilities) will be temporary, will only be for as long as necessary to respond to the Covid-19 emergency, and will not become contractual changes. Normal working will resume as soon as possible and all changes will be reviewed jointly with UNISON monthly.

Where staff are deployed to other roles, or where changes are made to their role, they will be entitled to any relevant allowances such as weekend and public holiday enhancements and excess travel expenses.

In accordance with NJC joint advice, staff will suffer no detriment in pay when being deployed to support the Covid-19 response. Staff will be paid at the higher of either their normal grade or the grade for the role they have been deployed to.

### **Health & Safety**

The Council remains committed to providing a safe environment for all its staff. It remains committed to its statutory obligations in respect of Health & Safety. The Council will follow relevant guidance and advice issued by the Government and the HSE in respect of Personal Protective Equipment (PPE). Where staff are concerned that they do not have access to the appropriate PPE they should raise it immediately with their line manager. In addition, there will be a named person in each directorate responsible for overseeing the supply and use of PPE.

Signed copy:



MOU  
Coronavirus.pdf



## APPENDIX 7

### **Holiday pay compensation for term time employees as a consequence of the Harpur Trust v Brazel case.**

From 1<sup>st</sup> April 2020 all term time employees are receiving as a minimum the statutory 5.6 weeks' annual leave as required by the Brazel Court of Appeal judgement and subsequent NJC Guidance. In Adult Learning and Skills Service (ALSS) where some employees work less than term time weeks there is a wider review of contractual arrangements underway. Harpur Trust have appealed to the Supreme Court and while the case is therefore still live an **agreement in principle** has been reached to pay compensation for the potential shortfall in previously unpaid leave.

It is jointly agreed that, at the conclusion of the Supreme Court appeal, and if the appeal is in Brazel's favour, a sum of compensation will be paid to term-time only employees who, at 31<sup>st</sup> March 2020, were not being paid at least the equivalent of 5.6 weeks' leave as follows:

1. For those employees in LA maintained schools who had been employed in post for the full year 1<sup>st</sup> April 2019 to 31<sup>st</sup> March and paid less than 5.6 weeks' leave a sum of £42.20;
2. For those employees in LA maintained schools who had been employed for less than the full year a sum equivalent to 1/12<sup>th</sup> of £42.20 for each completed month of service in 2019-20;
3. For employees employed corporately the actual value of the shortfall in unpaid leave; pro rata'd as in 2. above at 1/12<sup>th</sup> for each completed month of service for those who started part way through the year.

## **APPENDIX 8: Registrar Sessional Payments**

### **SESSIONAL /CEREMONY PAYMENTS AT WEEKENDS**

For the delivery of ceremonies in Registration Offices and outside venues on Saturdays, Sundays and Public Holidays, most staff receive a fixed sessional payment. These are payable per ceremony to staff delivering ceremonies within their own office area.

Sessional payments have been calculated to include travel time to and from the office, therefore travel time to and from home to office base may not be claimed.

If delivery of a ceremony in another office area is required, the sessional payment applies but staff may claim any necessary extra time taken to travel from their own office base to the office to collect and return the register and paperwork. This extra time is payable at the appropriate hourly rate in straight time only. Likewise any excess mileage incurred to collect/return registers may be claimed.

**Annualised ceremony staff** are not eligible to claim the sessional rate but instead will reduce their annual total of hours by the number of hours worked. Where there is a claim for additional hours e.g. when their annualised hours for the year have been used, they should claim for additional hours but also claiming the weekend working % supplement where the hours worked have been at weekends.

### **ATTENDANCE HOURS**

For Registrars, Certificate Services and other staff with regular times of attendance, it means those regular attendance times as timetabled at their office base; until further notice, this will normally be Monday-Friday.

### **RELIEF STAFF (i.e. casual as and when required)**

Relief staff will be paid for actual time worked Monday to Friday. Travel time and mileage to and from home to the office base may not usually be claimed by relief staff.

Staff in training. These staff would not be used for out-of-hours ceremonies or Public/Bank Holidays.

### **TIME SHEETS**

Daily time sheets for normal attendance hours are not required.

Annualised contract staff should record contracted hours worked only as a means of keeping track of hours used from the annual total. This should be done on the front, right-hand side of the monthly time sheet.

Sessional payment claims should be entered on MyView

### **RETURNING CLAIMS**

All claims should have authorisation by a senior registration manager.

### **MILEAGE**

Wherever possible, officers should travel together and only one mileage claim should be submitted.

If officers travel individually to a venue (with prior permission) only mileage travelled from that point and in connection with carrying out duties may be claimed. Mileage from home to the office will not be paid except in the most exceptional circumstances. This will usually be for unplanned and unforeseen journeys that you had not planned to do. E.g. fire alarm, building security, unplanned and unexpected RG wedding

### **INDIVIDUAL SPECIAL ARRANGEMENTS**

From time to time, due to the exigencies of the Service, it may be that individual special arrangements will be agreed with individual officers.

### **SUPERINTENDENT REGISTRAR, SENIOR REGISTRARS**

If these staff undertake ceremonies, this will be paid as sessional payment where appropriate.

**REGISTRATION SERVICE: SUMMARY OF PAYMENTS & ADDITIONAL HOURS CLAIMS**

*Annualised contract & relief staff see notes at end/*

	WORK PERIOD	MONDAY-FRIDAY		SATURDAY, SUNDAY & PUBLIC HOLIDAYS	
		For your base office	Other than from your base office	For your base office	Other than from your base office
<b>OUTSIDE VENUES CEREMONIES (including attendance at church weddings)</b>	1. Wholly during your normal attendance hours	No claim Mileage claim 2	No payment claim  Mileage claim 2	Sessional payment   Mileage claim 2	Sessional payment plus actual time taken to travel to & from own office base/home to the other office.  Mileage claim 2 or 3
	2. Partly outside your normal attendance hours	Claim additional time only.  Mileage claim 2	Claim additional time only. Including travel time to/from your office or home, whichever is the least. Mileage claim 3.		
	3. Wholly outside your normal attendance hours	Claim additional time including travel time to/from your office or home, whichever is least.  Mileage claim 2 or 3	Claim additional time including travel time to/from your office or home, whichever is lesser.  Mileage claim 3		
<b>REGISTER OFFICE CEREMONIES</b>	4. Wholly during your normal attendance hours	No payment claim  No mileage claim	No payment claim  Mileage claim 2	Sessional payment   No mileage claim	Sessional payment plus actual time taken to travel to & from own office base/home to the other office.  Mileage claim 2 or 3
	5. Partly outside your normal attendance hours	Claim additional time only.  No mileage claim	Claim additional time including travel time to/from your office or home, whichever is lesser. Mileage claim 2 or 3		
	6. Wholly outside your normal attendance hours	Claim additional time including travel time to/from home.  No mileage claim	Claim additional time including travel time to/from your office or home, whichever is least. Mileage claim 2 or 3		

	WORK PERIOD	MONDAY-FRIDAY		SATURDAY, SUNDAY & PUBLIC HOLIDAYS	
		For your base office	Other than from your base office	For your base office	Other than from your base office
<b>MEETINGS, TRAINING &amp; OTHER WORK DUTIES</b>	7. Wholly during your normal attendance hours	No payment claim No mileage claim	No payment claim Mileage claim 3	No mileage claim Claim additional time only. No mileage claim	Individual arrangements will be negotiated as necessary  Mileage claim 2 or 3
	8. Partly outside your normal attendance hours	Claim additional time only. No mileage claim	Claim additional time only. Mileage claim 3		
	9. Wholly outside your normal attendance hours	Claim additional time No mileage claim	Claim additional time including travel time to/from your office or home, whichever is lesser. Mileage claim 3		
<b>ADDITIONAL HOURS ON DUTIES OF YOUR POST</b>	10. Wholly during your normal attendance hours	No payment claim No mileage claim	No payment claim Mileage claim 3	No mileage claim Claim additional time only. No mileage claim	Individual arrangements will be negotiated as necessary  Mileage claim 2 or 3
	11. Partly outside your normal attendance hours	Claim additional time only. No mileage claim	Claim additional time only. Mileage claim 3		
	12. Wholly outside your normal attendance hours	Claim additional time No mileage claim	Claim additional time including travel time to/from your office or home, whichever is least. Mileage claim 3		
<b>MILEAGE CLAIMS</b> 1 - Actual mileage from and return to home (Taxable) 2 - Actual "business" mileage from and return to your office			3- Actual "business" mileage from office/home and return to office/home whichever is the lesser.		

**PAYMENTS TO REGISTRATION STAFF FOR ATTENDANCE AT CEREMONIES (As at 1<sup>st</sup> April 2020)**

	<b>REGISTRATION OFFICES</b> (Based on 2 hours per ceremony)		<b>APPROVED VENUES</b> (Based on 2.5 hours per ceremony)				
	<b>Saturday</b>  (x 1.5)	<b>Sunday &amp; Bank Holidays</b>  (x 2)	<b>Saturday 8.00 am to 8.00 pm</b>  (x 1.5)	<b>Sunday &amp; Bank Holidays 8.00 am to 8.00 pm(x 2)</b>	<b>M – F Out of hours* 8.00 pm to midnight (x 1)</b>	<b>Saturday Out of hours* 8.00 pm to midnight(x 1.5)</b>	<b>Sunday &amp; Bank Holidays Out of hours* 8.00 pm to midnight (x 2)</b>
<b>Rate for staff completed training</b>	SCP8	SCP8	SCP8	SCP8	SCP8	SCP8	SCP8
<b>Thank you Payment each ceremony per person</b>	N/A	N/A	N/A	N/A	*50.00	*50.00	*50.00
<b>Total sessional payment</b>	<b>£31.86</b>	<b>£42.48</b>	<b>£39.83</b>	<b>£53.10</b>	Claim 2.5 hours then notify General Manager for Thank you payment	Claim Saturday sessional payment then notify General Manager for Thank you payment	Claim Sunday sessional payment then notify General Manager for Thank you payment
<b>Payments for staff in training</b>	SCP5	SCP5	SCP5	SCP5	N/A	N/A	N/A
<b>Total sessional payment</b>	<b>£30.63</b>	<b>£40.84</b>	<b>£38.29</b>	<b>£51.05</b>	N/A	N/A	N/A