

JOINT NEGOTIATING COMMITTEE FOR HIGHER EDUCATION STAFF

FRAMEWORK AGREEMENT FOR THE MODERNISATION OF PAY STRUCTURES WITH UNISON COMMENTARY

Preamble

- This agreement has been developed in partnership between employers' and trades unions' representatives under the arrangements detailed in the June 2001 agreement establishing the JNCHES.
- The parties to the agreement are: Amicus, AUT, EIS, GMB, NATFHE, TGWU, UNISON, and the UCEA on behalf of its subscribing HE institutions.
- The parties are united in their view:
 - of the vital contribution which staff at all levels make to the continuing success of UK higher education, and the need for them to be rewarded properly; and
 - on the need to modernise pay arrangements in the sector to improve the recruitment and retention of staff, to ensure equal pay for work of equal value, to tackle problems of low pay, to recognise and reward the contribution which individuals make, and to underpin opportunities for career and organisational development.
- The agreement recognises that there is much diversity among HE institutions as well as many key features that they hold in common. It provides a common national framework for pay arrangements that fit with institutions' varying missions and circumstances.
- The Government's views on pay arrangements set out in the White Paper *The future of higher education* have also been recognised, as has the planned provision in England of limited additional funding for these purposes, together with the differing circumstances in Scotland, Wales and Northern Ireland.

- Effective implementation of this new agreement will require work by HE institutions and their recognised trades unions. It is expected that they will work in partnership to this end, reaching negotiated agreements on a timely basis.*
- Existing national agreements on pay and grading will remain in force until superseded by implementation of new arrangements under the terms of this agreement.

Principles

- Every HE institution introducing new pay structures under the terms of this agreement will follow the principles set out in Appendix A.

UNISON COMMENTARY

These outline the key parties to the agreement and the importance of partnership working. They also explain the context of the agreement and recognise the need to meet the requirements of the funding bodies in different parts of the UK.

Pay Spine

- HE institutions applying this agreement will use the single pay spine detailed in Appendix B to determine pay rates for all* staff (other than clinical academics) covered by national agreements in force on 31 July 2003.
- The values of the pay points in this spine will be reviewed, through the agreed national negotiating machinery, with effect from 1 August each year.

UNISON COMMENTARY

There is a single pay spine for all HE institutions applied to all staff including hourly paid staff but excluding clinical academics. The pay spine will be negotiated at national level.

* Partnership is defined throughout this agreement to mean “negotiating to reach agreement on a timely basis”.

* including hourly paid staff

Grading

- At all institutions covered by this agreement, determination of grading arrangements, and their implementation, will follow the principles set out in Appendix A.
- In particular:
 - allocation of staff to grades will be based on the outcomes of institution-wide job evaluation/role analysis arrangements, the detailed application of which will be negotiated in partnership between HE institutions and their recognised trades unions in line with the JNCHES guidance on job evaluation which will be updated in autumn 2003.
 - where grades are described in an institution as for two or more job families, grade boundaries will be set at common levels relative to the evaluation of job weights across job families.
 - detailed grading arrangements – including their links with job evaluation outcomes – (whether in the implementation of the model at Appendix C, or of variants or alternatives to that) will be negotiated in partnership between HE institutions and their recognised trades unions.
- Job evaluation/role analysis work to prepare for and underpin new grade structures will proceed as rapidly as practicable in all institutions, so that new structures can be implemented without delay.
- Appendix C describes a commended model pay structure which JNCHES believes will meet the needs of many HEIs. Some institutions will want to negotiate variants of or alternatives to this, in partnership with their recognised trades unions and in accordance with the principles set out in Appendix A.
- A Technical Group will be established (comprising representatives of UCEA and the relevant recognised unions) to oversee development of a library of detailed role profiles and associated guidance to assist institutions in the process of implementing a new grading structure – with the initial objective of publishing a library of indicative profiles for academic roles by December 2003.

UNISON COMMENTARY

It is important that the method for determining grading is equitable and transparent and this is further outlined in appendix A (see below).

In institutions, staff will be allocated to grades following institution-wide job evaluation. This is something that UNISON has been arguing for sometime. UNISON has been supporting the development of an analytical job evaluation scheme i.e. HERA, as the best way of ensuring fair and equitable grading structures.

There will be updated JNCHEs guidance on the implementation of job evaluation.

The model pay structure (Appendix C) demonstrates how grades can be illustrated with a separate job family for a specific group i.e. academic jobs. However where HEIs do this, the grade boundaries must be the same across all groups. They cannot develop entirely different grade boundaries for different groups. For example in the Appendix C model the proposed grades for academic jobs exactly match the grade boundaries in the main grading structure.

The academic unions have pushed for indicative grades for academic jobs based on job evaluation and the development of role profiles to reflect the fact that there is a considerable degree of commonality between academic jobs and that they operate in a national and international market. This agreement is proposing to establish a technical working group to develop the profiles only for academic jobs. The AUT are keen to expand this to academic related jobs, however UNISON and the other support staff unions, believe ensuring equitable grading structures for those staff doing the wide range of jobs which are not done by lecturers and researchers, can best be achieved through an analytical job evaluation scheme.

Furthermore the development of role profiles for other jobs could delay the implementation of job evaluation in HEIs. Further guidance on job evaluation is available from UNISON.

The pay and grading structure being proposed is for a national pay spine with national grades. There will be no spot pay points but each grade will have a number of incremental points. This will give manual workers access to an incremental grade for the first time.

The employers also want to have a contribution element in these grades. Some UNISON members, of course, already have discretionary points but most do not have access to this. The contribution related points overlap onto the bottom of the next grade and could provide an opportunity of moving through grade barriers.

In essence, HEIs will carry out institution-wide job evaluation to determine a rank order of staff within institutions. The grades for academic staff will largely be determined by the development of role profiles, provided these can be cross benchmarked across to the institution wide JE scheme being used e.g. HERA.

This section of the agreement also provides some flexibility for HEIs. There is a model structure although the agreement recognises that some institutions may wish to develop variants or alternatives to this. However, the agreement is quite clear that this must be done in partnership with the recognised trade unions and in accordance with the principles set out in appendix A. UNISON will be strongly encouraging HEIs to adopt the model structure.

Staff Development and Review

- Access to training and development is important both for the motivation of staff and to enhance their contribution to the institution. HE institutions will make available suitable training and development opportunities to all staff, irrespective of their present grades or career pathways.
- Institutions will operate regular development reviews for all staff – with a view to facilitating both the improvement of performance to meet institutional objectives and career development for individuals - and will offer suitable development opportunities in the light of these.
- JNCHES will develop further guidance on staff development and review, including advice on facilitating new career pathways and recognising new ways of delivering and supporting teaching and learning.

UNISON COMMENTARY

For the first time universities will be expected to have regular development reviews for all staff. This could open up career and training opportunities for UNISON members who have had little access to this in the past. The employers are proposing to develop career pathways particularly for those involved in supporting and delivering teaching and learning. Further guidance will be developed on these issues.

Progression Between Grades

- Progression of staff to a higher grade will be on an equitable and transparent basis, the details of which will be developed in partnership between HE institutions and their recognised trades unions – acknowledging in particular established arrangements for progression of present Lecturer A (pre-92 universities) and Lecturer (post-92 HEIs) grades, and taking account of equal pay considerations.
- JNCHES will issue guidance on key aspects.

UNISON COMMENTARY

Staff will progress to higher grades normally as a result of either promotion or a successful re-grading claim, however it is recognised that for some academic staff promotion to a different grade can happen through professional development. Further guidance will be developed on this issue taking account of equal pay considerations.

Progression Within Grades

- All staff covered by this agreement will have pay progression opportunities within the pay range for their grade.
- Arrangements for such progression should be: designed to offer equal opportunities for all staff in each particular grade, and to reward the acquisition of experience and contribution; and operated with demonstrable fairness, transparency and objectivity.
- Progression within each pay range will depend in part on an individual's length of service in the grade and in part on an assessment of their contribution; although staff will have a normal expectation of annual progression up to the contribution threshold for their grade, subject exceptionally to established procedures for dealing with performance problems.
- HE institutions will determine detailed arrangements for progression, in partnership with their recognised trades unions and in accordance with the principles set out in Appendix D; and will communicate these clearly to staff.
- JNCHES will develop good practice guidance in this area.

UNISON COMMENTARY

Staff will normally progress through annual increments to the threshold for their grade. As currently exists, there may be exceptional circumstances where an annual increment can be withheld. Some existing agreements, e.g. the "Purple Book" make reference to increments being withheld due to unsatisfactory performance, but this is rarely used.

Further detailed guidance will be developed to establish clear criteria for staff progressing to the contribution points of the grades, although the principles for this have been set out in appendix D. In particular there must be equal opportunity for staff to progress and any contribution schemes must be able to demonstrate fairness, transparency and objectivity.

Working Hours

- The application to all staff at the same grade level in an institution of equivalent pay ranges (drawn from the pay spine) assumes comparable working hours, reflecting statutory requirements on equal pay for work of equal value.
- HE institutions will be recommended to harmonise the length of the standard working week for all staff with a defined working week – in particular resulting in a reduction in the nationally agreed hours for manual staff – as early as possible and by no later than 1 August 2005.

- HE institutions will negotiate with their recognised trades unions arrangements for appropriate enhancement of those pay ranges for any individuals or groups of staff with, exceptionally, a longer standard working week.
- HE institutions will also negotiate in partnership with the relevant recognised unions about extra payments for staff at appropriate levels who are required regularly or occasionally to work additional hours. Until agreed otherwise, premium payments will continue on the basis of national and local agreements in force on 31 July 2003.
- Such negotiations will include changes in working practices related to the harmonisation of the working week.

UNISON COMMENTARY

Where institutions use job evaluation to determine the relative worth of jobs, there will have to be harmonisation of manual workers hours. Harmonisation will have to take place to comply with equal pay legislation.

This agreement states that HE institutions should harmonise the length of the standard working week for all staff with a defined working week as early as possible and no later than 1 August 2005. UNISON has been pushing hard for harmonisation of manual workers' hours this year or at least by 2004. The negotiators were disappointed at the employers refusal to move from the 2005 deadline, however the union will be having a major campaign to encourage universities to harmonise manual workers hours as early as possible. For the first time there is a deadline by which this must happen.

The agreement specifically does not say 37 hours but refers to manual workers' hours being harmonised down to the standard working week in an institution. For example, if the institution has a 35 or 36 hour week, manual workers' hours should be harmonised to this.

The employers want to ensure that universities have flexibility to either pay people to work longer than the standard working week, or to be able to consult on changing working practices that may arise through harmonisation of the working week. UNISON recognises that this will have to happen, however the union was very clear that premium payments currently in place on the basis of national and local agreements will continue unless agreed otherwise. This means any premium payments e.g. overtime, unsocial hours payments etc continue to apply and are not affected by this agreement.

Attraction and Retention Premia

- Institutions may supplement pay rates for each grade, for some or all staff, where labour market conditions dictate. Appendix E sets out guidelines for the use of such premia. Institutions should adopt appropriate policies and procedures with an emphasis on equity and transparency, as developed in partnership with their recognised trades unions.

- Unless otherwise agreed, determination of London weighting will remain within the ambit of JNCHES for those staff for whom such payments are currently part of national negotiations (including those at pre-1992 institutions joining the Consortium which will be reviewing the arrangements on London pay in the light of this Agreement).

UNISON COMMENTARY

The universities have the option to include attraction and retention premia and Appendix E sets out guidelines for the use of such premia. This puts considerable emphasis on equity and transparency and on the need to ensure schemes are developed in partnership with the recognised trade unions.

Where London Weighting is currently determined at national level it will remain within the remit of JNCHES. The employers have agreed that they will be developing with the unions further guidance regarding the development of the Consortium.

Equal Opportunities and Pay

- Action to foster more equal opportunities and to ensure delivery of equal pay for work of equal value is at the heart of this Framework Agreement, and needs to underpin its implementation at local level.
- Arrangements for grading, progression between and within grades, working hours and attraction and retention supplements should be designed accordingly, and should where appropriate facilitate part-time and flexible working arrangements.
- Where - following negotiation with their recognised trades unions - HE institutions establish arrangements for payment of bonuses, honoraria, responsibility allowances and other non-consolidated payments, they will operate these with due regard to equal pay and equal opportunities considerations.
- Institutions will be encouraged to monitor and review the impact of the new arrangements by undertaking periodic equal pay audits, in line with the guidance issued by JNCHES in March 2002.
- Institutions will be expected to take account of the guidance issued by JNCHES on: Fixed-term and casual employment (July 2002); Partnership for equality (February 2003); and Work-life balance (July 2003).
- Institutions will also consider the implications of this Framework Agreement - as regards equal pay for work of equal value and other equalities issues – for staff not covered by current national agreements.
- JNCHES will monitor the impact of its guidance in these areas during 2003-04.

UNISON COMMENTARY

The entire Framework Agreement is underpinned by a commitment to equal opportunities and equal pay.

HEIs that have bonus systems or other non-consolidated payments must take account of equal pay legislation in operating these.

HEIs are expected to take account of previous guidance issued by JNCHES relating to equality issues.

Implementation

- This national Framework Agreement refers to negotiations between HE institutions and their recognised trades unions on the detail of various aspects of new pay structures. It is expected that institutions and their local union representatives will work in partnership to this end, with mutual respect for the interests of all stakeholders, and will negotiate to reach agreement on a timely basis. In some cases new or revised joint local machinery may be needed for this purpose.
- HE institutions will negotiate with their recognised trades unions details of:
 - The timetable for implementation of new pay arrangements, taking account of the availability of resources to underpin this and the need for adequate preparatory work (including job evaluation/role analysis).
 - How staff will be assimilated to the new pay and grading structures, in the light of the evaluated weight of their current post. These arrangements will reflect or better the minimum provisions set out in Appendix F.

It is expected that these matters will be determined by no later than 1 March 2004, reflecting what is locally practicable and affordable.

- Institutions will be expected to use their best endeavours to introduce these new pay arrangements from 1 August 2004 or as soon as practicable thereafter, and to complete implementation by 1 August 2006, subject to the funding arrangements in the devolved administrations.
- In the interim, institutions and their recognised unions will work in partnership to undertake the necessary preparatory work as rapidly as possible.
- If necessary, institutions and their recognised unions will make use of established local procedures for resolving matters where there is a failure to agree.

- Until the implementation of the new pay arrangements, where HE institutions currently use the interim pay spine and associated pay scales agreed by JNCHES, as set out in Appendix G*, they will continue to apply these.
- The uprated pay levels set out in Appendix G will apply across the sector from 1 August 2003 and 1 August 2004. However, the employers have made clear that institutions facing serious funding difficulties may need exceptionally to delay implementation of these pay increases for up to 11 months so as to minimise job losses; but the trades unions do not accept this view.
- Pay arrangements implemented in accordance with this agreement will supersede all the relevant provisions regarding pay and grading in the inherited national agreements listed in Appendix H. Established local agreements on pay and grading will continue in force, unless otherwise agreed.
- Appendix I lists present and planned JNCHES guidance which should be taken into account in the implementation of this Framework Agreement.

UNISON COMMENTARY

The Framework Agreement is under-pinned by a commitment to work jointly in partnership at national and local level. It specifically states that all stake holders will negotiate “to reach agreement on a timely basis” and sets out the timetable for implementation. In particular, HEIs will need to negotiate with their trade unions the timetable for the implementation of the new Framework Agreement and how staff will be assimilated onto the new pay and grading structures no later than 1 March 2004. If the unions accept the agreement, negotiations on these particular issues should start immediately in the autumn.

Institutions will be expected to use their “best endeavours” to introduce these arrangements by 1 August 2004 and have them completed by 1 August 2006. To meet this timetable HEIs will have to start the process of negotiation and consultation as soon as possible. For universities that have already begun to introduce job evaluation, meeting the 2004 timetable should be achievable. Until now many institutions have been delaying the introduction of job evaluation until there has been agreement at national level. If this offer is accepted by the unions the process of introducing job evaluation can begin immediately afterwards.

The interim pay spine and associated pay scales previously agreed by JNCHES will be as set out in the attached PTAAS pay scales which have been uprated in line with the pay offer for 2003/4 and 2004/5. The uprated pay levels will have effect from 1 August 2003 and 1 August 2004. The trade unions have not accepted that universities facing serious funding difficulties should delay implementation of these pay increases. Branches should inform UNISON head office of any HEI proposing this.

* The values of the pay points on the interim spine and associated scales will be reviewed with effect from 1 August each year, until JNCHES determines otherwise.

If the new framework agreement is accepted only the sections in the existing national agreements that relate to pay and grading will be superseded. It is important to note that it will only be the sections on pay and grading and no other sections of the existing national agreements that will be replaced by the new Framework Agreement. More detailed guidance on this will be produced.

JNCHES FRAMEWORK AGREEMENT

LIST OF APPENDICES

- A Principles for the determination and implementation of pay and grading structures
- B New single pay spine
- C A model pay structure
- D Pay progression within grades
- E Guidelines for use of attraction and retention premia
- F Assimilation of individual staff to new pay structures
- G Interim pay spine and associated pay scales
- H Superseded national agreements
- I Present and planned JNCHES guidance

PRINCIPLES FOR THE DETERMINATION AND IMPLEMENTATION OF PAY AND GRADING STRUCTURES

The following principles underpin all aspects of this Framework Agreement. Every institution covered by this agreement will adopt pay and grading structures which:

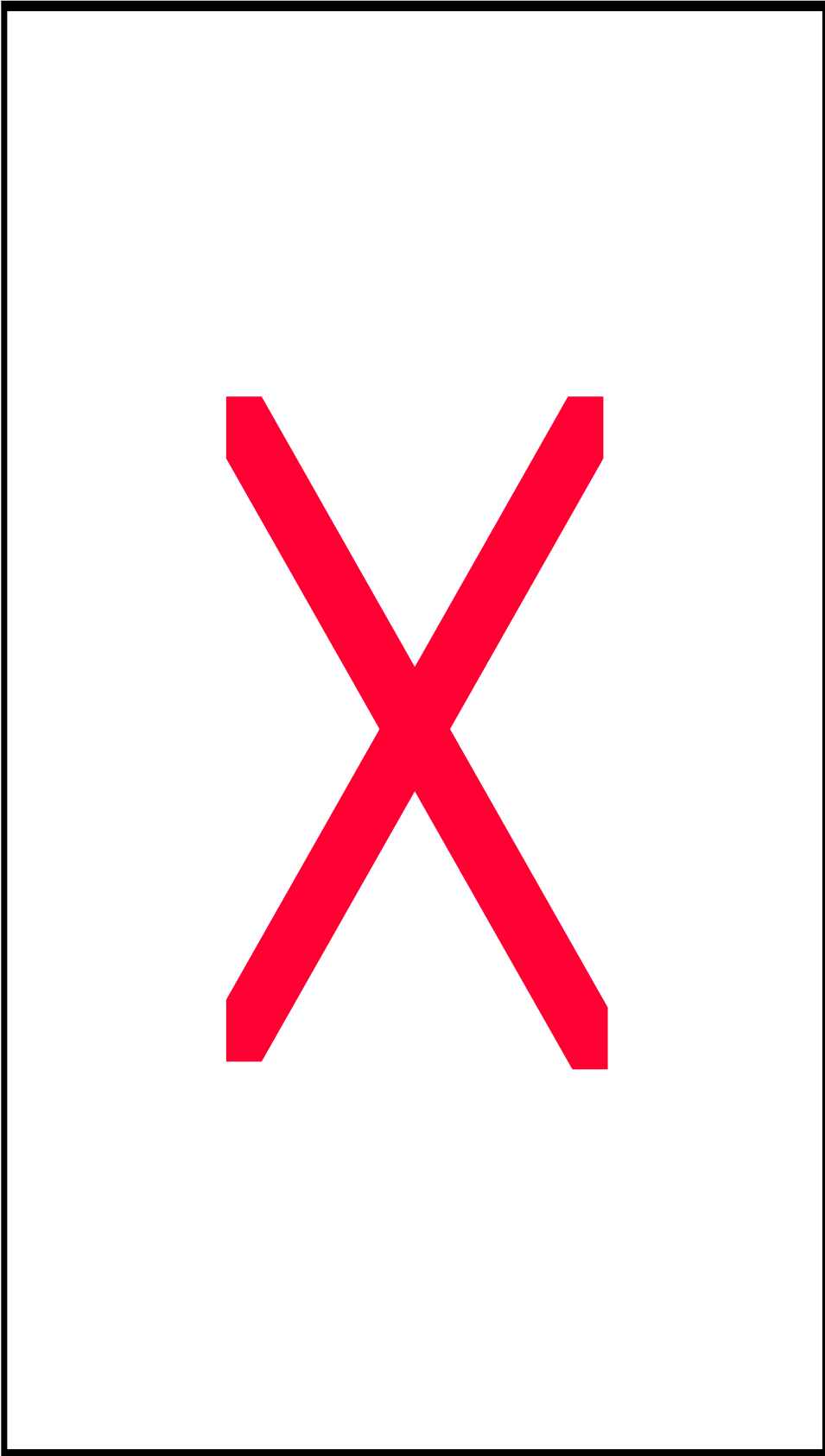
- apply to all staff covered by the remit of the JNCHES, except clinical academics;
- have been developed in partnership with their recognised trades unions, working to reach negotiated agreements on a timely basis;
- link with the nationally determined pay spine in a clearly defined, rational and orderly manner;
- support the achievement of equal pay for work of equal value, with the application of pay points to staff being transparent, consistent and fair;
- base the allocation of staff to grades on the outcomes of job evaluation/role analysis arrangements which:
 - enable equitable, consistent and transparent judgements to be made about the relative value or size of jobs;
 - apply institution-wide, covering all groups of staff;
 - reflect the JNCHES guidance on job evaluation/role analysis, which will be updated in autumn 2003;
 - have been administered in consultation with the recognised unions;
 - provide access to appropriate review procedures, in the event of disputes about grading outcomes;
- apply common grading across all staff groups, including where pay structures are expressed locally in terms of more than one job family or career pathway;
- be appropriate to the objectives and culture of the HE institutions to which they apply;
- provide for salary and career progression to attract, retain and motivate staff, rewarding appropriately their knowledge, experience and contribution;
- have regard to the resources likely to be available to the institution;

- be readily implementable over a sustained period;
- be developed and introduced in consultation with those affected – managers, staff and their representatives;
- be readily understandable to staff and clearly communicated to them.

UNISON COMMENTARY

This contains the principles that underpin all aspects of the framework agreement. In particular, it determines the staff covered by this agreement, the important principle that it is developed in partnership and that all parties should be working to reach negotiated agreements at local level. It ensures that there is a single pay spine and a common grading structure across all staff groups including where a university adopts a separate job family or career pathway for academic jobs.

NEW SINGLE PAY SPINE



UNISON COMMENTARY

This sets out the new pay spine from 1 August 2003 and 1 August 2004 following completion and implementation of the framework agreement.

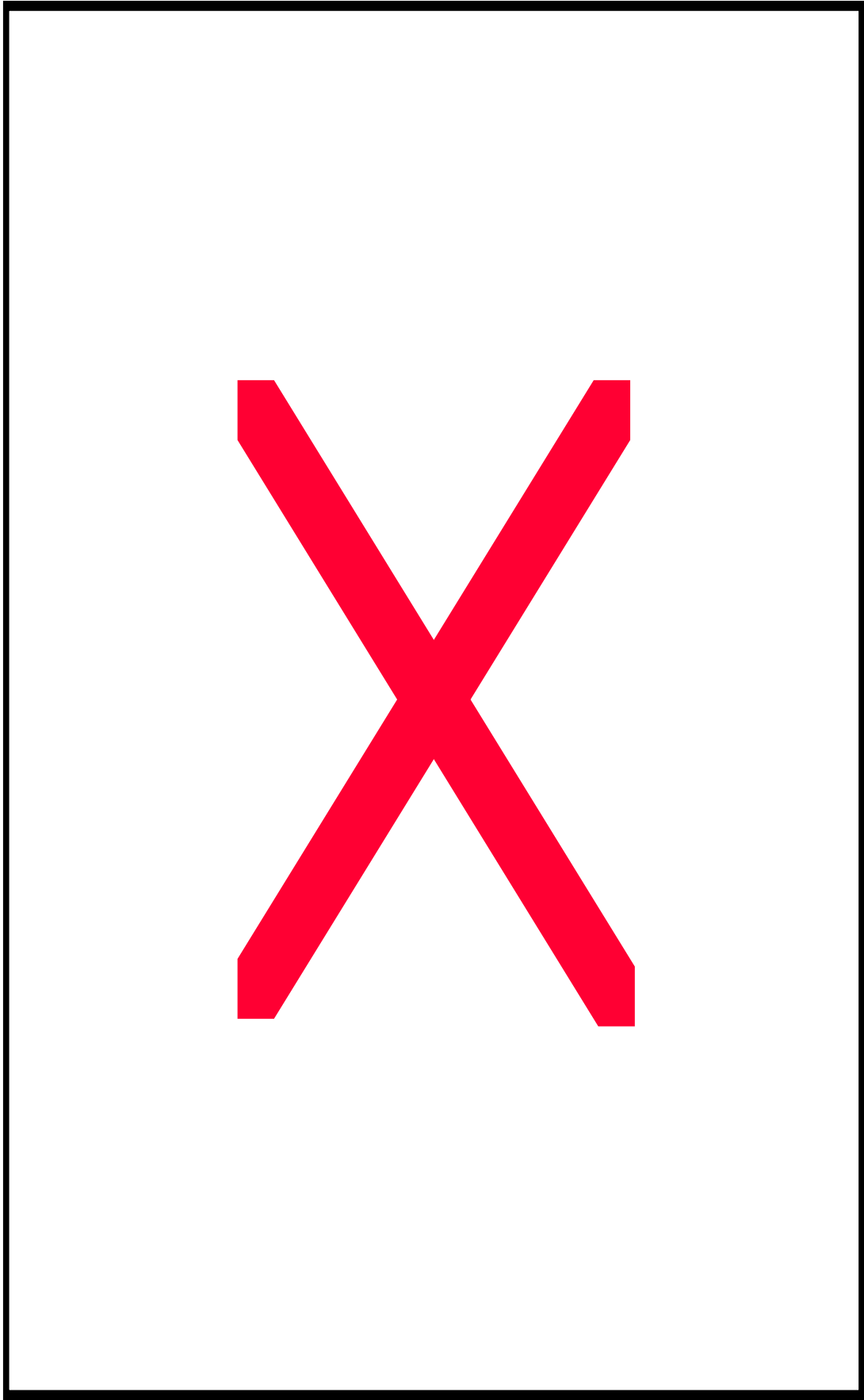
These pay spines only become operative after universities have implemented institution wide job evaluation schemes.

A MODEL PAY STRUCTURE

This Appendix describes a commended model pay structure which JNCHES believes will meet the needs of many HEIs. Some institutions will want to negotiate variants of or alternatives to this, in partnership with their recognised trades unions and in accordance with the principles set out in Appendix A.

The model described is for a common grade structure covering all staff within the ambit of national negotiations. This structure can be supplemented by illustrations of career pathways for specific staff groups, which would be linked with nationally developed role profiles. The illustration shows a career pathway with indicative grades and illustrative grade descriptors for academic staff. Equivalent material for other staff groups can be developed.

It is recognised that this model may need to be modified in the light of the work to be undertaken on role profiles by the Technical Group and of feedback from early implementers.



Illustrative Grade Descriptors for Academic Career Pathway

The following descriptions are purely illustrative for the purposes of allowing HE managers, the trade unions and their members to understand more fully what may be implied by the illustrative model pay structure described in this Appendix. They aim to give all parties some idea as to how the five academic pay ranges in the model *might* reflect academic roles, subject to all the necessary processes involved in related job evaluation/role analysis exercises. They are not to be taken, therefore, as pre-judging what might be the outcomes of any particular institutional job evaluation/role analysis process. They are included here to give a broad illustration, rather than detailed prescription, of the relative levels of work involved. Further work will be needed through the Technical Group to develop these initial approaches.

Level 1

It is envisaged that role holders at this level are likely to undertake clearly prescribed tasks to assist in teaching and/or research activities.

Level 2

It is envisaged that role holders at this level are likely to be responsible for the delivery of teaching within an established teaching programme and/or for carrying out research as an individual or team member.

Level 3

It is envisaged that role holders at this level are likely to be responsible for planning, designing and delivering educational programmes and/or for conducting research programmes.

Level 4

It is envisaged that role holders at this level are likely to be responsible for a balance of planning, designing and delivering major educational programmes, leading teaching or research teams, coordinating departmental administrative activities and enterprise activities.

Level 5

It is envisaged that role holders at this level are likely to be responsible for academic leadership involving the development and overall management of teaching or research programmes or enterprise activities, and/or for the management of departmental administration activities with significant responsibility for resources (staff, finances and equipment).

UNISON COMMENTARY

Appendix C outlines the Model Pay Structure and its link to the common single pay spine. Staff will be placed on this following the implementation of a job evaluation scheme to determine a rank order. (See UNISON advice on HERA previously sent)

This also shows an illustrated career pathway for academic staff and illustrative grade descriptors for academic jobs linked to this.

If accepted, UNISON will be campaigning for early implementation, as there is additional money available for assimilation to the new pay spine.

It is also possible for grade descriptors to be developed for other groups of staff e.g. technicians, but this should not be used to hold up the introduction of institution-wide job evaluation schemes.

PAY PROGRESSION WITHIN GRADES

Institutions covered by this agreement will develop detailed arrangements for pay progression within grades, in line with the principles set out in this Appendix and in active partnership with their recognised trades unions.

Principles

- Opportunities for progression should be available to all groups of staff, though the scope and criteria for such progression may need to vary.
- People should be rewarded fairly according to their contribution, including application of new skills and of expertise developed over time in the job.
- Progression criteria should:
 - be clearly related to institutional objectives;
 - recognise achievements, and reward competences and activities likely to contribute to future success;
 - help motivate staff; and
 - not be unfairly or inappropriately discriminatory.
- Systems for assessment of the contribution made by staff should be fair, consistent and transparent on the basis of defined expectations and success criteria. Judgements should be demonstrably based on objective evidence, and recognise team work where appropriate.
- Both progression criteria and the mode of their application should be developed in consultation with those concerned – managers, employees and their union representatives.
- Progression arrangements should be communicated to staff so that they understand the operation of the process, and the part they and their managers play in it.
- Appropriate training should be given to managers and staff so that progression systems can be operated in an equitable, fair, transparent and objective manner.
- Any progression system should:
 - Avoid costly, bureaucratic and excessive burdens on staff;
 - Ensure that the effort involved in its operation is justified by the rewards under consideration; and

- Ensure that progression opportunities and rewards are demonstrably equally available to all staff who meet the criteria.

Systems where access to contribution-related rewards is dependent on application should also ensure staff feel freely able to apply.

Progression Criteria

- Progression criteria should be appropriate to institutional objectives.
- In particular, criteria for academic staff should, wherever appropriate, offer parity of esteem between teaching and research, and recognition of associated activities. For example by:
 - Encouraging and rewarding more teaching focussed activity and the recognition of appropriate qualifications eg ILT membership or equivalent;
 - Reflecting priorities such as: links with business, equal opportunities, and widening participation;
 - Giving attention to the learning of and feedback from students, through robust, agreed and professionally established systems.
- It is equally important that reward strategies encourage all staff to gain further skills, experience and relevant professional and vocational qualifications, through training and other opportunities for personal development.

Forms of progression

- There are three forms of pay progression:
 - Progression up to the contribution threshold for each grade, reflecting the growing experience and skill of the job holder. Staff will have a normal expectation that progression from point to point up to this threshold will take place on an annual basis, subject exceptionally to existing procedures for dealing with performance problems.
 - Accelerated incremental progression, reflecting substantially greater than normal application of skill and experience by the job holder.
 - Discretionary progression beyond the agreed contribution threshold.

UNISON COMMENTARY

This sets out the principles and the criteria for determining progression within grades. As stated in the main framework agreement, staff will have an expectation of annual progression to the threshold of their grade. To progress beyond that to the contribution point, criteria must be developed which is fair, consistent and transparent.

It would be possible for universities to develop accelerated incremental progression i.e. allowing staff to jump more than one incremental point. Additional guidance needs to be developed particularly for non-academic jobs e.g. rewarding staff who have made a particular contribution to student retention or who have achieved a particular qualification.

GUIDELINES FOR USE OF ATTRACTION AND RETENTION PREMIA

The law requires that employers have objective justification if they offer different rates of pay to staff whose work is of equal value. It is therefore important that institutions have an agreed policy for the use of attraction and retention premia which reflect market pay rates, and established procedures for implementing that policy. Guidelines for these are set out below.

Policy

The policy should cover the following points:

- The importance of demonstrating a business need for each attraction and retention premium.
- Methods for determining the appropriateness of attraction and retention premia, including sources of market pay data.
- The need to record the rationale for an attraction and retention premium.
- The approach to be used in establishing that an attraction and retention premium is necessary and the need to explore other ways of attracting and retaining staff, for example, by offering continuous development and career opportunities, or offering the scope, support and facilities to engage in leading edge teaching or research.
- Identification of the postholders who should be involved in decisions to introduce, or withdraw, attraction and retention premia.
- How and when reviews of all attraction and retention premia should take place, including of their equal pay implications.
- The action that should be taken if a review establishes that an attraction and retention premium should be reduced or withdrawn (including any phasing or period of pay protection considered appropriate).

Procedure

The procedure for introducing an attraction and retention premium requires the following steps:

- Identify jobs, at any level, where difficulties in attracting and retaining high quality staff can be demonstrated (a belief that it will be difficult to recruit to a particular post is insufficient).
- Assemble the evidence (such as data from published or specially commissioned pay surveys, and/or systematic analysis of advertised pay rates) that the proposed attraction and retention premia can be objectively justified.
- Decide which employees are eligible for each attraction and retention premium, including existing staff.
- Determine the level of premium required in each case.
- Record the rationale for each attraction and retention premium in the personnel file of all those to whom they are paid, and notify the individuals concerned explicitly as regards the basis of the additional payment they will receive.
- Include in the contract of employment the conditions under which an attraction and retention premium is paid and may, in certain circumstances, be reduced or withdrawn in accordance with the agreed policy.
- Review at least every other year (but preferably once a year) the case for preserving, amending or withdrawing each attraction and retention premium in accordance with the policy guidelines.
- As part of a regular equal pay review process, identify the proportions, in the groups to whom attraction and retention premia are paid, of men and women, of different racial groups, and of those with disabilities. Check that differences between the pay of those carrying out like work, work rated as equivalent or work of equal value, which arise from attraction and retention premia, can be objectively justified and, if not, that corrective action is taken.

UNISON COMMENTARY

Employers who wish to introduce attraction and retention premia must have very clear and objective justification to offer different rates of pay to staff whose work is of equal value. This is not intended to stop universities from developing attraction and retention premia but to ensure that it is fair and equitable and not introduced in an adhoc way.

ASSIMILATION OF INDIVIDUAL STAFF TO NEW PAY STRUCTURES

This Appendix sets out the basic arrangements for how staff will move from present nationally agreed pay scales to new pay structures established within the terms of this Framework Agreement. HE institutions will negotiate in partnership with their recognised unions about local procedures for the detailed application of these arrangements – endorsing or amending existing local agreements on regrading and pay protection, as appropriate.

Assimilation will depend on how an individual's current substantive salary (*current pay*) relates to the pay range for the grade (*pay for grade*) of their present post as that grade has been determined following job evaluation.

Where *current pay* matches *pay for grade*:

- The individual will be paid at the point on the new spine equal to or immediately above their current pay; and
- The individual's grade will be confirmed forthwith.

Where *current pay* is lower than *pay for grade*:

- The individual is promoted to the appropriate higher grade and is paid at the bottom of the pay range for that grade. Except that, where the resulting increase in pay exceeds 10%, that increase may be phased over two years; **or**
- By agreement between the individual and management, the responsibilities of the post will be reduced such that (following re-evaluation of the post) the grading of the post is reduced; **or**
- By agreement between the individual and management, the individual moves to a post at the lower grade.

Where *current pay* is higher than *pay for grade*:

- By agreement between the individual and management, the responsibilities of the post will be increased such that (following re-evaluation of the post) the grading of the post is increased; **or**
- By agreement between the individual and management, the individual moves to a post at a higher grade if an appropriate one becomes available, and in the interim is offered a range of training and development opportunities to maximise his/her chances of an agreed move to a post at a higher grade, **or**

- The individual continues at their current pay level, on a protected basis, for a period of up to four years; after which his/her pay will be reduced to the highest point below the contribution threshold on the pay range appropriate for the post as graded following job evaluation.

Appropriate adjustments may be needed where an individual's *current pay* includes an attraction and retention premium – either as a cash addition or through appointment to a higher grade.

UNISON COMMENTARY

Following implementation of the agreement, staff will be assimilated to the new grading structure.

For staff whose current pay matches the new pay for their grade – they will move to the new pay point that matches or is immediately above their existing pay.

Staff who are upgraded will move to the appropriate pay. However if the increase is more than 10% employers can phase this in over 2 years. Alternatively individuals may wish to have their responsibilities reduced or move to a lower graded job – but this can only be by agreement.

Staff who are downgraded will have full protection for up to 4 years. Alternatively they may wish to increase their responsibilities or move to an available higher graded job – but this can only be by agreement.

INTERIM PAY SPINE AND ASSOCIATED PAY SCALES

This Appendix will list the updated values of the interim pay spine, and associated pay scales, for 2003-04 and 2004-05.

For immediate purposes these are attached as a separate document.

UNISON COMMENTARY

The details of the interim pay scales and associated pay scales for the Professional Technical Administrative and Ancillary Staff Sub-Committee are attached as Annex 1 to this document. This gives the pay spines as updated by the pay offer for 2003/4 and 2004/5 and includes the flat-rate elements for the lowest paid.

SUPERSEDED NATIONAL AGREEMENTS

The pay and grading elements* of the following agreements, which were inherited by JNCHES and its Sub-Committees, will be superseded by the pay structures implemented under the terms of this Framework Agreement.

JNC for Non-clinical Academic and Academic Related Staff

Agreement on Salaries and Grading Structure for Academic and Related Staffs (23rd Report from Committee A, 1987).

Lecturers Common Interest Group

National Agreement on Pay and a New Contract for Lecturers (1990).

Former JNC for Conference of Scottish Centrally Funded Colleges

HE 2000 agreement.

National Joint Committee for APT&C Staff

Agreements on salaries and allowances, deriving originally from the Scheme of Conditions of Service for NJC for Local Authorities' APT&C Services (March 1989).

Joint Committee for Clerical and Certain Related Administrative Staffs

Scheme of Salaries and Conditions of Service.

Special Joint Committee for Computer Operating Staffs

Agreement on Salaries and Grading Structure.

Joint Committee for Technical Staffs

Agreement on Salaries and Grading Structure.

Joint Committee for Manual and Ancillary Staff

Agreements on Wage Rates and Terms and Conditions of Service for Manual and Ancillary Staff.

Manual Common Interest Group

Agreements on pay and allowances, deriving originally from the Scheme of Conditions of Service for NJC for Local Authorities' Services – Manual Workers (March 1989).

UNISON COMMENTARY

Only the sections relating to pay and grading in the existing national agreements will be superseded by the new Framework Agreement. Further details on the actual paragraphs and sections of these agreements will be produced shortly.

**** more specific references to be added.***

PRESENT AND PLANNED JNCHES GUIDANCE

Equal Pay Reviews (March 2002)

Role Analysis and Job Evaluation (March 2002 - to be updated in autumn 2003)

Fixed Term and Casual Employment (July 2002)

Partnership for Equality – Action for HE (February 2003)

Work-Life Balance (July 2003)

Future guidance

Career and staff development

Progression between grades

Progression within grades – good practice

UNISON COMMENTARY

This gives details of the existing JNCHES guidance and future guidance to be developed.