



Learning Development (Quality)

PROTECTION OF PAY AND CONDITIONS OF SERVICE POLICY

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MANAGEMENT AREA	PERSONNEL
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PROTECTION OF PAY AND CONDITIONS OF SERVICE

1. Introduction

Stafford College believes that an integral feature of any successful organisation is its ability to identify the need for change and to manage that change taking into account management objectives as well as the aspirations and well being of its employees.

It is the essence of good management practice to introduce arrangements for safeguarding the pay and conditions of service of individual staff adversely affected by organisational change.

2. Application of Policy

This policy statement defines the principles which will apply to all staff whose pay and conditions of service are affected by:-

- *organisational change*
- *changes to a position based on different service needs*
- *redeployment following a redundancy situation/restructuring*
- *following a job evaluation exercise*
- *situations when staff are required or requested by management to move to a lower graded post in order to keep their skills within the College*

(NB: It does not, however, give an automatic entitlement to a lower graded job with protection as an alternative to redundancy).

This policy will not apply in the event of downgrading or transfer which is a result of the employee's competence, as a result of disciplinary action or where the move is at the personal request of the employee.

With the agreement of both parties, a one off payment may be made to "buy out" ongoing protection rights in respect of a specific situation.

Individual employees on protected pay and conditions of service, prior to implementation of this policy under the provisions of previous agreements, will continue to be protected under those provisions until the protection expires.

Pay protection applies where a downgrading due to organisational change is involved or where as a result of the use of job evaluation an individuals post is graded at a lower level than they are currently remunerated on.

Under the pay protection policy, basic salary and annual leave entitlement will be protected in the new post as detailed below.

Pay (and annual leave if applicable) will be reduced over a two year period by the following method

- Remain on the current rate of pay from the date that the new rate is confirmed *for a period of 12 months*

Policy no	POL 026
Page	Page 2 of 4
Date	18 October 2001

- 12 months from the date that the new rate is confirmed the member of staff's pay will be reduced to half way between their current salary and the new rate of pay *for a period of 12 months*
- 24 months from the date that the new rate is confirmed the salary will reduce to that of the new rate.

An example of a phased reduction is as follows:

- β Current salary - £20,000 per annum
- β New rate confirmed with effect from 1 March 2001 - £15,000 per annum

a)	<i>salary for the period 1 March 2001 – 28 February 2002</i>	=	<i>£20,000 pa</i>
b)	<i>Salary for the period 1 March 2002 – 28 February 2003</i>	=	<i>£17,500 pa</i>
c)	<i>Salary for the period 1 March 2003 onwards</i>	=	<i>£15,000 pa</i>

At the expiry of the overall period of protection the protected pay and conditions of service revert to those of the new post. Pay will then be that basic salary or wage which applied on the day immediately preceding commencement in the protected post updated by any pay increases or increments which have accrued during the protection period.

Each subsequent change of post due to an organisational change covered by this policy shall attract protection in its own right.

3. Pension Implications

In certain circumstances employees who participate in a pension scheme may choose to preserve benefits based on higher earnings when they suffer a reduction in salary. Advice should be taken at all times from the pension scheme or further information is available from the Personnel Unit.

If pay is reduced at the instigation of College they can elect to have contributions maintained at the former higher level of pay at no extra cost. This provision will be available whilst it remains a regulation of the respective pension scheme(s) appropriate to the College.

Members of the Teacher's Pension Scheme (TPS) can elect to pay contributions on a former higher salary if they voluntarily move to a post of less responsibility. The member of staff is then responsible for both the employee *and* the employer contribution. There is the facility for the College to pay the employer contribution at its discretion.

4. Grievances

Any grievance arising from the operation of this policy statement regarding the protection of pay and conditions of service should be raised through the Stafford College Grievance Procedure.

5. Implementation and Continuity of Policy

Policy no	POL 026
Page	Page 3 of 4
Date	18 October 2001

This policy has in practice been in place for some years but will formally be recognised through this policy with effect from 17 October 2001 and will remain in force until further notice (subject to annual review).

6. Equal Opportunities

Stafford College is committed to the implementation of policies to achieve equality of opportunity for all staff, students and members of the community it serves. In doing so the College will actively work to achieve equality regardless of age, race, skin colour, disability, gender, marital status, sexuality and faith.

Personnel Unit
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Policy no	POL 026
Page	Page 4 of 4
Date	18 October 2001