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East Dunbartonshire Council

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Terms & Conditions

Updated Package for Chief Officers, Craft & Local Government Employees

Updated: 31 October 2018

INTRODUCTION

- TERMS & CONDITIONS

East Dunbartonshire Council (EDC) remains committed to working in Partnership with its employees.

Through our Partnership at Work Framework and with the active participation and contribution of the Trades Unions, we do have a continuing common goal of removing any pay discrimination and creating a fair, equal pay-proofed structure for the future.

It is our intention to implement the revised Pay & Grading model in a way which removes inequality and delivers a package of pay and conditions to employees.

- **Scope**

These Terms & Conditions include Chief Officers, Craft & Local Government Employees

Within this guide, you will find.....

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Section 1 REVISED PAY & GRADING STRUCTURE

1.1 Job Evaluation Scheme

- EDC continues its commitment to the Scottish Joint Council (SJC) National Job Evaluation Scheme – all jobs covered by this agreement are evaluated under this Scheme.
- All roles will be placed in the new grading structure based on the outcomes of the Job Evaluation Scheme.
- To ensure future consistency in the application of the Job Evaluation Scheme and to maintain the integrity of the Scheme, new roles and/or jobs which will be/have been subject to change, will be allocated an “indicative grade” by the Job Evaluation Team, subject to the formal outcome.

Where “indicative grades” have been allocated by the Job Evaluation Scheme this will be subject to a defined timeframe of no less than 6 months but no longer than 12 months, by which time (at the latest) the role will have a formally assessed Job Evaluation Scheme outcome.

- Roles which have been ratified by the Job Evaluation Steering Group will form part of the Rank Order with immediate effect and outcomes applied thereafter.
- Employees will have a formal individual right of appeal against the outcome of the evaluation. The Job Evaluation Appeals Procedure has been agreed with the Trades Unions.

1.2 Revised Pay & Grading Structure

- The revised Pay & Grading structure was implemented with effect from 1 July 2017.
- A revised 17 grade model was introduced. This revised model will apply to all Local Government and Craft employees and will replace the previously recognised pay & grading structures for these employee groups.
- EDC has committed to adopt the SJC National Pay Spine as the basis of determining pay and incremental progression within the new grading model.
- Grading boundaries have been determined based on the independent equality impact assessment outcomes of the ratified jobs within EDC.

- The new grading structure is detailed in the table below:

Revised EDC Grades	Revised Score		Revised Scale	
	Grade Score Min	Grade Score Max	Grade SCP Min	Grade SCP Max
3	-	257	18	21
4	258	294	22	30
5	295	347	32	40
6	348	390	41	51
7	391	438	52	62
8	439	485	63	73
9	486	537	75	83
10	538	610	84	92
11	611	660	93	99
12	661	692	100	106
13	693	724	107	113
14	725	756	114	120
15	757	788	121	127
16	789	820	128	134
17	821	852	135	141

1.3 Pension Protection

- East Dunbartonshire Council recognises that in cases where employees face a reduction in earnings due to the implementation of ratified job evaluation outcomes there will be genuine concern about the longer-term implications, specifically relating to pension benefits.
- Employees who are members of the Strathclyde Pension Fund and who experience a reduction in earnings (by placement on the maximum incremental point of the new grade for their role) will in accordance with The Local Government Superannuation (Scotland) Regulations, be issued with an E24 Certificate of Material Change in Circumstances.
- This will remain in force, if appropriate, for a period of 10 years from the date of material change in your circumstances.
- Further information about pension protection is available directly from Strathclyde Pension Fund.

1.4 Incremental Progression - through Spinal Column Points

- Progress through the salary band will be linked to the achievement and use of key competencies. The key competencies and accountabilities of each post are specified within standard role profiles.
- The Council's PDR process will be used to assess competence, identify skills gaps, and plan appropriate training, coaching and/or learning programmes.

- The PDR will be carried out on an annual basis and will define what needs to be achieved to trigger the competency-based increment payable on the next 1st April. A key principle for incremental progression is that employees will naturally progress to the top of the grade based on the attainment of competency and satisfactory performance.

A structured programme to roll-out the PDR process is in place and is supported by the Workforce Strategy Service.

- The PDR assesses following principles:
 - **Level 1** - the employee should be recognised for accelerated progression - regularly makes an exceptional and sustained contribution; is recognised as productive, skilled and flexible; is capable of effectively completing all tasks allocated; supports and develops others; is ready for career advancement.
 - **Level 2** - the employee is competent, routinely delivers satisfactory performance - is generally considered to be reliable and competent; is capable of effectively completing a wide range of tasks allocated; supports others; establishes good working relationships; training/development in some areas may be required.
- Where performance and/or levels of competency are not reaching a satisfactory level and no improvement has been demonstrated through the PDR process, incremental progression may be withheld. In these circumstances a Performance Improvement Plan will be developed and agreed by both the manager and the employee.
- Employees below the maximum of the salary band for the job and allocated to level 1 will receive an incremental increase of 3 SCP, subject to the maximum SCP on the new grade for the job.
- Employees below the maximum of the salary band for the job and allocated to level 2 will receive an incremental increase of 2 SCP, subject to the maximum SCP on the new grade for the job.
- No additional increments are payable once the top of the grade has been reached.
- The employee and the manager will share accountability to ensure that the PDR review takes place in accordance with the Performance & Development cycle.
- In exceptional circumstances where the manager has not concluded the PDR process with an employee, the employee will by default, be allocated to Level 2.
- Appropriate levels of training for both managers and employees will be identified and delivered to support the process and to ensure that it is fairly and consistently applied.

- Application of the process will be monitored on an ongoing basis to ensure consistency. The system will have a series of checks and balances to ensure fairness, consistency and equality across the Council and that the integrity of the PDR process is not breached.

Section 2 LABOUR MARKET SUPPLEMENTS

- The revised 17 grade structure should allow for the recruitment and retention of employees to the vast majority of jobs.
- It is accepted, however, that, on occasion, it may not be possible to retain and recruit staff at the appropriate grade related salary. This will generally be due to a certain group of workers being in short supply either nationally or locally.
- Established practice and policy is that any shortages should be considered through an **off-spine labour market supplement** (normally as an annual lump sum which can be divided by 13 for 4-weekly or by 52.14 for weekly pay frequency purposes).
- The labour market theory behind such a supplement is that the higher than average salaries will attract more people into that occupation, thus relieving the shortage and allowing the market supplement to be reduced or eliminated over time.
- To be defensible in case of internal or external challenge, any labour market supplement should meet all of the following criteria:
 - a. The need must be demonstrable at the time the supplement is introduced, for example, evidence of inability to recruit at the evaluated grade salary range, national or local market data showing higher salaries.
 - b. The supplement should be regularly reviewed to ensure that the payment continues to be justified.
 - c. The supplement should be paid to existing employees (effectively as a retention supplement) as well as to new recruits (as a recruitment supplement) otherwise there is a danger that supplements are paid only to more mobile employees, which could be indirectly discriminatory.
 - d. Once the need for the supplement ceases, existing payments can be made subject to protection/transition arrangements, but new recruits or transfers should not receive the payment.

Section 3 PAY FREQUENCY

- All employees within this agreement will migrate to a common weekly pay cycle payable on a Thursday or a 4-weekly pay cycle, payable every 4th Tuesday.
- Current pay frequencies will determine which pay cycle employees migrate to.
- If you need to change pay cycles, we recognise that you may need support or time to adjust. You will get 3 months advanced notice of the planned change. No employee will face any detriment in relation to this change. EDC will ensure that appropriate support will be available to help employees and to bring the current variable pay periods into line.

Section 4 WORKING ARRANGEMENTS

4.1 Standard Working Week

- The standard working week for full-time employees will be 35 hours per week exclusive of meal breaks.
- Standard hours required beyond 35 but up to 37 will be classified as contractual additional hours, payable at plain time.

4.2 Notional Hours (Standard Pattern of Work)

- The core working hours of the Council will be: Monday – Sunday: 7.00am – 9.00pm (inclusive).

4.3 Personal Breaks

- EDC reinforces its commitment to recognising its obligations under the Working Time Directive.
- In addition to any contractual unpaid breaks, full-time employees will be entitled to a maximum of two (2) paid ten (10) minute breaks or equivalent in any full working day, to be taken by agreement.
- This will apply on a pro-rata basis to those employees working part-time hours.
- Term-time workers will be entitled to these breaks on days of work only.

Section 5 ANNUAL HOLIDAYS

East Dunbartonshire Council is committed to promoting work life balance and to this end employees will see an immediate increase in their holiday entitlement.

5.1 Holiday Year

- The holiday year will begin on 1st January and will end on 31st December.

- Employees may request leave within the period 1st January of the year it relates to and 31st January of the following year.
- Any leave not taken by 31st January will be forfeited.

5.2 Fixed and Flexible Holiday Entitlement

- Fixed public holidays will be as follows:
 - Good Friday
 - Easter Monday
 - Christmas Day
 - Boxing Day
 - New Years' Day
 - 2nd January
- Fixed and Flexible Holiday entitlements are detailed below.

Calculation of Annual Leave in Hours for employees working 35 hours

Continuous Service	Hours	Fixed Public Holiday Hours	Total Leave Entitlement
Less than 1 year	182	42	224
1 Year but less than 5 years	196	42	238
5 years but less than 10 years	231	42	273
More than 10 Years	252	42	294

Calculation of Annual Leave in Hours for employees working 37 hours

Continuous Service	Hours	Fixed Public Holiday Hours	Total Leave Entitlement
Less than 1 year	192.40	44.40	236.80
1 Year but less than 5 years	207.20	44.40	251.60
5 years but less than 10 years	244.20	44.40	288.60
More than 10 Years	266.40	44.40	310.80

- Employees who, by the end of January of the leave year have completed at least 1, 5 and 10 years' service, will be entitled to additional leave from that year as detailed above.

- Employees will be required to allocate 2 annual leave days for the Christmas & New Year shut down Period.
- Council will also retain the day of no work requirement at Christmas.
- It is recognised that some services will continue during this period and as such employees rota'd to work on these days will not be required to allocate annual leave.
- The Flexible Holiday entitlement detailed earlier applies to five day working patterns.
- For alternative working patterns, equivalent leave entitlements will be calculated pro-rata to the hours worked.
- Some examples of different work patterns and flexible holiday calculations are outlined below:

Non Standard: Employees who work non - standard patterns such as shifts, compressed days or seasonal variation arrangements will receive the same entitlement to flexible holidays as their standard work pattern colleagues. That entitlement will, however be expressed as hours.

- These hours will then be set against leave requests or public holidays as a diminishing balance over the leave year.
- Where an individual is considered a full-time employee their flexible holiday entitlement will be expressed as equivalent to a standard worker but in hours (e.g. 27days X 7 hours = 189 hours).
- For those employees contracted to the equivalent of 37 hours per week the leave entitlement would be increased pro-rata and equally where an individual is considered a part-time employee the leave entitlement will be pro-rated downward accordingly.

Where an individual's hours:-

- vary over a working pattern, e.g. week 1 working 27 hours, week 2 working 40 hours, to take 2 weeks holiday for this period would reduce the overall holiday entitlement by 67 hours.
- are compressed (35 hours into 4 days attendance) to take 1 weeks' leave (4 days) would reduce the overall balance by 35 hours.
- vary seasonally (42 hour week summer, 30 hour week winter), 1 weeks' leave in the summer would reduce the annual entitlement by 42 hours, equally 1

weeks' leave in the winter would reduce the annual entitlement by 30 hours

New Employees/Leavers

- a. The Flexible Holiday entitlement of employees joining or leaving the Council during the leave year will be proportionate to their completed service, and hours worked per week during the leave year as detailed below:

Completed* Months of Continuous Service in Current Leave Year – 35 hours Requires to be pro rated for part time employees	Less than 1 years service 182 hours –	1 year but less than 5 years 196 hours	5 years but less than 10 years 231 hours	More than 10 years 252 hours
1	15.17	16.33	19.25	21.00
2	30.33	32.67	38.50	42
3	45.50	49.00	57.75	63
4	60.67	65.33	77.00	84
5	75.83	81.67	96.25	105
6	91	98.00	115.5	126
7	106.17	114.33	134.75	147
8	121.33	130.67	154	168
9	136.50	147	173.25	189
10	151.67	163.33	192.5	210
11	166.83	179.67	211.75	231

Completed* Months of Continuous Service in Current Leave Year – 37 hours Requires to be pro rated for part time employees	Less than 1 years service 192.40 hours –	1 year but less than 5 years 207.20 hours	5 years but less than 10 years 244.20 hours	More than 10 years 266.40 hours
1	16.03	17.27	20.35	22.20
2	32.07	34.53	40.70	44.40
3	48.10	51.80	61.05	66.60
4	64.13	69.07	81.40	88.80
5	80.17	86.33	101.75	111.00
6	96.20	103.60	122.10	133.20
7	112.23	120.87	142.45	155.40
8	128.27	138.13	162.80	177.60
9	144.30	155.40	183.15	199.80
10	160.33	172.67	203.50	222.00
11	176.37	189.93	223.85	244.20

* "Completed month" means the period between a date in one month and the immediately preceding date in the following month (e.g. 15th February to 14 March inclusive).

SECTION 6 TERM TIME WORKING ARRANGEMENTS

- Many services in the Council work on the basis of a term time model
- Associated contractual arrangements to reflect the term time nature of the role will be in place.
- Employees will receive a term time working calendar in advance of the academic year commencing
- Term time guidance will be issued to all term time employees.
- Principles of application within this section will clarify arrangements in respect of:
 - Pay calculation
 - Annual Leave Calculation

TERM TIME PAY CALCULATION

The principles by which employees will be paid will take account of the working days of a 52.14 week full time employee and calculate a proportionate percentage that will apply to term time employees.

The calculation will also remove the rolled up holiday pay arrangements previously in place.

Variables to factor in the calculation will include:

- Length of Service
- Working Patterns/Days Worked
- Working weeks

The principles that will apply will consider:

A)	Possible working days per year (52.14 weeks)
B)	Less Annual Leave (52.14 weeks)
C)	Less Public Holiday (52.14 weeks)
D)	Less Day of No Work Requirement
E)	TOTAL WORK DAYS (52.14 WEEK EMPLOYEE)
F)	Weeks worked per year (Term time contract)
G)	Days worked per year (F x 5 days worked)
H)	Percentage Payable of the 52.14 week employee(G/E)

These arrangements apply from 1 July 2017.

Section 7 OVERTIME

Committed to work life balance, the Council believes that employees should not consistently work overtime. However, we recognise that there are situations that affect service delivery that are unavoidable and need to be delivered outwith or in addition to normal hours.

- Only employees at Grade 8 and below are contractually entitled to be paid overtime at the rate of time and a half on all hours worked over 37hrs per week until 31st March 2019.
- Effective from 1st April 2019, overtime is defined as hours worked in excess of 37 hours per week with the exception for employees on Grade 8 or above who are not eligible for overtime, except in circumstances where additional hours are required to support activities deemed as emergencies (life and limb, severe adverse weather) in which case standard overtime arrangement will apply.
- Additional hours worked up to 37 hours per week will be payable at plain time.
- To help monitor the level of overtime working across the Council and to support our commitment to the Working Time Directive and the health & safety of our employees, a review system will be put in place to highlight areas where excessive overtime is being worked.
- Monthly reporting will be in place and will highlight areas where excessive overtime is being worked.

- Reports will be presented to local management and shared with Trades Union colleagues through the Partnership @ Work structure. Clearly defined procedures will be put in place to specify how this is managed and corporately monitored

Section 8 OUT OF HOURS ALLOWANCE

- A single “Out of Hours” allowance will be payable to those employees who are contracted as part of their normal working pattern to work outwith the recognised core working hours, as specified above.
- This Out of Hours allowance will be paid at the rate of Time + 1/3 for those contracted hours worked outwith the core working hours of the Council of Monday – Sunday: 7.00am – 9.00pm (inclusive).
- This Out of Hours Allowance is not payable in addition to overtime rates for the same hours worked.

Section 9 FIXED PUBLIC HOLIDAY WORKING

- All hours worked on any of the 6 fixed public holidays will be paid at the rate of double time, if that is outwith your normal working pattern

Section 10 STANDBY ALLOWANCE

- The National Scottish Joint Council rates will apply.

Section 11 CALL OUT PAYMENTS

- On any day, excluding fixed public holidays, for each occasion that an employee is contacted or called out, whether on standby or not, the employee will be entitled to payment at the Time + ½ overtime rate for hours actually worked.
- For call out on a fixed public holiday, the public holiday working rate of double time will be paid for hours actually worked.

Section 12 ACTING-UP ALLOWANCE

- Where an employee has been formally requested to undertake the duties of a higher graded role, the employee will be paid an appropriate allowance in recognition of the additional accountabilities assumed.
- Only in exceptional circumstances will an employee be requested to act up to cover a planned absence, such as normal holiday, training/conference cover.

This will be determined locally by the appropriate Manager based on service delivery needs.

- In all cases where an employee has been formally requested by an approved Manager to assume the accountabilities of a higher graded role, the employee will receive an Acting-Up Allowance from the date that the acting up formally begins.
- The Acting-Up Allowance will be based on the grade and salary scale for the higher graded role.

Section 13

CAR & MOTORCYCLE ALLOWANCES

13.1 Car and Motorcycle Mileage Allowance

- The Council recognises that an employee may be required to use their own vehicle in the course of their daily employment. Frameworks are in place to reimburse employees at the HMRC mileage rates for miles travelled. Business mileage is only payable after the first 4 miles of each individual journey.
- It is the intention that employees will utilise the travel arrangements in place which include:
 - Pool Cars
 - Service Based Fleet Cars
 - Car Sharing
 - Use of Smart Working technologies to avoid travel
 - Pool bicycles
- Governance arrangements established since October 2013 requires travel to be authorised in advance.
- Consideration of the use of technology, requirement to travel and effective daily work planning must all be considered in advance of travel taking place.
- Claims must be made within 2 pay periods of travel taking place.
- Any claims outwith these parameters will not be reimbursed.
- Appropriate reporting/monitoring mechanisms are in place to ensure compliance with the governance arrangements and mileage allowances paid.

13.2 Driving Licence & Insurance Checks

- For those employees who have been identified as requiring vehicles for Council business, the Manager is responsible for carrying out the following checks on at least annual bi-annual basis:
 - that the employee holds a valid driving licence for the classification of vehicle that they are driving; and
 - the employee has current insurance which includes the appropriate cover for business use.

- Medical Questionnaires will require to be completed for any employee who uses a vehicle as part of their employment.

- Employees who use a bicycle for business purposes are recommended to have at least third party insurance.

Medical Questionnaires will require to be completed for any employee who uses a vehicle as part of their employment. The questionnaire will be considered and engagement with Occupational Health will take place if necessary. Engagement with individual employees will take place throughout this process.

Section 14

NOTICE

- The contractual minimum notice from the employer for all Chief Officer, Craft & Local Government Employees posts will reflect the statutory entitlement whereby a minimum of 1 week, up to a maximum of 12 weeks will apply in accordance with length of service.
 - one week's notice where your period of continuous employment is less than two years;
 - one week's notice for each year of continuous employment where your period of continuous employment is more than two years, up to a maximum of 12 weeks.
- Notice requirements from the employee remains unchanged.