



CYNGOR SIR
YNYS MÔN
ISLE OF ANGLESEY
COUNTY COUNCIL

School Pay Transition Policy

School	Cybi
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Review frequency	3 Years
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Head teacher	Owain Lemin Roberts
Chair of Governors	Colin Bell

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Pay Transition Policy

1. Introduction

Pay protection is the practice of protecting the pay of employees whose pay is downgraded following an internal reorganisation, or through redeployment to another post as a means of avoiding redundancy.

The school recognises that an employee who has been redeployed or whose post has been affected by reorganisation may find it difficult to adjust to the change in circumstances. Where it is necessary to reduce pay, the school will adopt measures to assist those employees affected to adapt to the reduced pay over a pay transition period. The practice is intended to cushion existing employees from the adverse consequences which a sudden drop in pay would otherwise cause.

It is legitimate for employers to provide a pay transition policy where pay is reduced, provided the employer has no reason to think that the old pay arrangements that they are intending to protect were not directly or indirectly discriminatory.

2. Scope of the policy

This Pay Transition policy applies to all employees employed by the School Governing Body whose pay and conditions of service are affected by:

- Organisational change/restructure/redeployment following a redundancy situation

It does not apply where an employee has been redeployed at their own request, outside of a redundancy situation, or where an employee has been redeployed as a result of action under the capability or disciplinary procedure, or where Occupational Health have recommended redeployment due to incapacity. It also does not apply to temporary arrangements such as secondments, temporary promotions or acting up arrangements, where, at the end of the temporary arrangement, employees will revert back to their substantive role.

3. Terms of the protection for NJC staff

3.1 Amount of Protection

Where there is a reduction in the level of basic pay as a result of grade changes, pay protection will be at 100% for the first 12 months, followed by 50% for the next 6 months. This will be effective from the commencement date of the new post.

3.2 Protection of Salary

If protection applies, employees will be entitled to receive protection on their basic annual salary and any contractual additional pay or allowances in their contract of employment at the time of the redeployment. Protection does not apply to any other allowances, overtime or other payments. Any entitlements to sick pay, holiday pay,

maternity and adoption pay will be paid at the protected salary rate applicable for the protected pay period only, after which time the new salary rate will apply. Pay protection will not be applicable to other payments e.g overtime payments and subsequent pay awards or further increments on the original grade/salary will not be protected.

In addition, where salary difference can span a number of grades the extent of the pay protection will be limited to one grade. However, in exceptional circumstances, and on a case by case basis in accordance with the needs of the school, consideration may be given to increase protection to two grades.

3.3 Hours

The Council will make every effort to redeploy employees to a post of the equivalent hours to their former post. However, if an employee is redeployed to a post with different hours, or if the organisational change results in a change in hours, they will be paid the contractual hours of the new post and there will be no protection on hours.

3.4 Incremental progression

Where post has been subject to an incremental pay scale, the incremental progression of the old job will cease from the date when the pay protection takes effect. i.e. the start of the new post. This means subsequent pay awards or further increments on the original grade/salary will not be protected.

3.5 Period of protection

The maximum period of protection will be for 18 months. If an employee is redeployed to several temporary posts within this period, and one or more of these posts is paid at an equivalent or higher grade than the original protected grade, then no actual protection payment will be due but the protection period will still continue to countdown. For example, if pay protection starts on 1 April 2025 and an employee is redeployed to 2 posts within this period and the second of these posts is paid at a higher grade than the original protected grade, no pay protection will be paid for this particular post but the period in the post will still count towards the 18 month pay protection period, this period will still end on 30 September 2026.

Pay protection will cease:

- at the end of the 18 month period;
- at the date the employee's substantive contractual pay reaches their protected level of pay;
- if the employee is employed permanently in a higher graded post;
- if the employee's post is regraded to its previous or higher level;
- if the employee moves jobs within the Authority; or
- if the employee leaves the Authority's employment;

whichever is earlier.

3.6 Pension Implications

Where a reduction in pensionable earnings occurs, a 'Certificate of Material Change' will normally be issued by the LGPS Administrator as outlined in the regulations. Employees should contact Gwynedd Pensions (01286 679982, gwyneddpensionfund.wales) for further information.

4. Terms of the protection for Teachers

Teachers are subject to the provisions of the current School Teachers' Pay and Conditions Document (Wales). See Part 5 of the STPCD for further details on circumstances in which safeguarding applies.

4.1 Amount of Protection

Teachers safeguarding of salary shall be in accordance with the provisions set out in Part 5, section 30.0 of the current School Teachers' Pay and Conditions Document (Wales).

4.2 Period of Protection

The period of protection for teachers shall be in accordance with the provisions set out Part 5, section 32.0 of the current School Teachers' Pay and Conditions Document (Wales).

4.3 Pension Implications

Where a reduction in pensionable earnings occurs, teachers should seek the advice of the Pensions Administrator, Teachers' Pensions for further information.

5. General

5.1 Data protection

The Council processes personal data collected in accordance with its Data Protection Policy. Data collected is held securely and accessed by, and disclosed to, individuals only for the purposes of managing pay protection arrangements. Inappropriate access or disclosure of employee data constitutes a data breach and should be reported in accordance with the data protection policy immediately. It may also constitute a disciplinary offence, which will be dealt with under the school disciplinary procedure.

5.2 Status of the policy

This Pay Protection Policy will supersede any previous pay protection policies. This policy is implemented on a discretionary basis and can be amended or withdrawn at the discretion of the School by giving 3 months' notice in writing.

5.3 Review of the policy

The Pay Protection Policy will be reviewed on a regular basis in the light of operating experience or changes to legislation

Appendix 1

Roles & responsibilities

Employees are expected to:

- make a reasonable effort to secure appointment to suitable vacancies.
- co-operate with all reasonable measures designed to help reduce the cost of protected pay.

In the event that an employee who is in receipt of protected pay does not comply with these obligations, their pay protection may be withdrawn.

Headteachers/Governing Bodies are expected to:

- follow this procedure, seeking professional advice from their HR Officer where necessary.
- support and assist employees in receipt of pay protection to secure employment at the salary level they previously held, or, alternatively, other suitable employment.

HR is expected to:

- provide professional advice and guidance to Headteachers/Governing Bodies on the implementation of this process.
- regularly review this procedure.
- record and monitor the implementation and outcomes of this procedure to ensure consistency and fair treatment and investigate any unequal or adverse impacts.