

## STAFFING POLICY COMMITTEE

29 September 2022

Appendix C**Unsocial Hours Pay Protection Arrangement Agreement**

This document outlines the unsocial hours pay protection arrangements which will be implemented if the recognised Trade Unions agree to the implementation of the changes to the unsocial hours policy.

Pay protection will be implemented for existing staff impacted by the implementation of the changes to the unsocial hours policy. The payments will be tailored to each individual's specific circumstances, correlated with the unsocial hours that the individual works and what the change in policy will mean for them.

What is the aim of pay protection?	Unsocial hours pay protection arrangements will ensure that the implementation of the new unsocial hours policy does not immediately reduce the take home pay of staff who, in their current role, receive unsocial hours plussages under the current policy.
How long will unsocial hours pay protection arrangements apply?	4 years from the date of the implementation of the amended policy ( <b>DATE TO BE ADDED</b> ).
Who will receive pay protection?	Staff who are on fixed term or permanent contracts who currently receive a percentage plussage applied to their base salary for unsocial hours.  This includes staff who are seconded or acting into a role which receives an unsocial hours plussage.
Who will not receive pay protection?	Staff who start with Wiltshire Council after the start of the union ballot ( <b>DATE TO BE ADDED</b> ). Workers on casual contracts. Staff on zero hours variable hours contracts.
How will the pay protection amount be calculated?	Initially we will calculate for each member of staff who is eligible for pay protection:  <b>A – current pay</b> Base pay + Market supplement + Unsocial hours plussage received under current policy

	<p><b>B – expected future pay under new policy</b>  Base pay + market supplement + expected unsocial hours pay under new policy (based on rotas / shift patterns confirmed by your line manager)</p> <p>If expected future pay (B) is lower than current pay (A) then the employee will receive an unsocial hours pay protection amount for the difference between the two amounts.</p> <p>The calculation will be shared with the employee for review. They should raise any queries with their line manager.</p>
<p>How will pay protection amounts be reviewed?</p>	<p>A full review will be carried out 6 months after the policy implementation and every 6 months after that for all those receiving unsocial hours pay protection.</p> <p>These calculations will be based on:</p> <p><b>Calculation A (under old policy)</b>  What you would have been eligible to receive under the previous policy – using current base pay reflecting any pay awards and increments.</p> <p><b>Calculation B (under new policy)</b>  Base pay + any market supplement payment being received + average unsocial claim amount made by the employee over the previous 6 month reference period.</p> <p>If <b>B</b> is lower than <b>A</b> the difference will be the new monthly payment amount to be paid for next 6 months.</p> <p>Further reviews will take place every 6 months.</p> <p>Confirmation will be sent to employees if there is any change to the amount they are receiving.</p> <p>An immediate individual review will be undertaken where an employee receiving unsocial hours pay protection reduces their working hours.</p>
<p>Under what circumstances will pay protection end?</p>	<p>Unsocial hours pay protection arrangements would end immediately:</p>

	<ul style="list-style-type: none"> <li>- If the employee leaves the council.</li> <li>- If the employee leaves the contracted position to which the protection applies (e.g. through being appointed to new post, end of acting up / secondment arrangements, redeployment into a different post through a consultation process (e.g. service redesign / ill health).</li> <li>- If an employee takes on an acting up or secondment role. (If they return to their substantive post on which they were receiving unsocial pay protection this will resume).</li> <li>- A change to service operating model which means that unsocial hours are no longer required to be worked or that criteria for the previous unsocial hours policy would no longer have been met.</li> </ul>
Will the pay award apply to protection amount?	Yes – back payments will be applied to all salary elements in the usual way.
Are protection amounts subject to tax, NI and pension?	Yes.

**Signed by Wiltshire Council and the recognised Unions**

The terms of this arrangement have been agreed and entered into on the date signed by all parties, when it shall be treated as an open document evidencing a binding agreement.

Signed by Terence Herbert, Chief Executive of Wiltshire Council

Signature.....

Name.....

Date.....

Signed by (GMB's signatory title) for GMB

Signature.....

Name.....

Date.....

Signed by (Unite's signatory title) for Unite the Union

Signature.....

Name.....

Date.....

Signed by (UNISON's signatory title) for Unison

Signature.....

Name.....

Date.....