

# LEICESTERSHIRE

## FIRE and RESCUE SERVICE

### SERVICE PROCEDURE

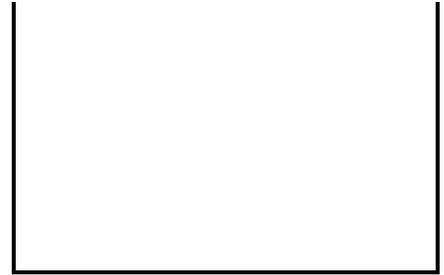
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## HUMAN RESOURCES

## PAY POLICY

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## LEICESTERSHIRE FIRE AND RESCUE SERVICE

### PAY POLICY

#### INTRODUCTION

- 1 Section 38 (1) of the Localism Act 2011 requires Leicestershire Fire and Rescue Service to produce a senior officers pay policy statement for the financial year 1 April 2012 – 31 March 2013 and for each financial year thereafter. The statement is published each year and is currently titled the Pay Policy Statement 2012 – 13.
- 2 This additional policy will apply to all employees who are employed under the conditions of service of the following bodies:
  - National Joint Council for Local Authorities' Fire Services' Scheme of Conditions of Service (Grey Book)
  - National Joint Council for Local Government Services (Green Book)
  - National Joint Council for Brigade Managers of Local Authority Fire and Rescue Services (Gold Book)
- 3 The policy will also apply to temporary employees.

#### AGENCY WORKERS

- 4 The relevant sections of this policy will apply to agency workers as defined in the Agency Workers Regulations 2011.

#### SECTION ONE

##### OPERATIONAL STAFF GREY BOOK CONDITIONS

- 5 The pay and grading structure for operational staff is negotiated in accordance with the National Joint Council for Local Authority Fire and Rescue Services Scheme of Conditions of Service (Grey Book).

- 6 Any agreed cost of living award by the National Joint Council for Local Authority Fire and Rescue Services Scheme of Conditions of Service (Grey Book) are payable in July each year.

#### **ADDITIONAL RESPONSIBILITY ALLOWANCES**

- 7 An operational employee may be paid an allowance or allowances to reward additional skills and responsibilities that are applied and maintained outside the requirements of the role but within the job function.
- 8 Payments will be based on the requirements of the Leicestershire Fire and Rescue Integrated Risk Management Plan and may include payment for skills' shortages where these are directly applicable to the delivery of the Integrated Risk Management Plan.
- 9 The maximum payable to any individual employee will be determined locally. See paragraphs 10 – 12 below. Additional responsibility payments are temporary and non-pensionable and may be withdrawn following reasonable notice from the Leicestershire Fire and Rescue Service.

#### **WORKPLACE TRAINERS**

- 10 Operational employees who are Workplace Trainers will receive an allowance of £43.65 per month. (Rate at October 2012).

#### **TRAINING ALLOWANCE**

- 11 Operational employees whose role is within the Training and Development Department will receive an 8.9% training allowance.

#### **VOLUNTARY OUT OF HOURS PAYMENT**

- 12 Operational employees who undertake Fire Prevention work on a voluntary basis will receive an allowance of £1935.16 per year. (Rate at October 2012).
- 13 When employees are called out they will be paid at their substantive rate depending on their role.

## **SECTION TWO**

### **SUPPORT STAFF GREEN BOOK CONDITIONS**

- 14 The pay and grading structure for support staff is negotiated in accordance with the provisions of the National Joint Council for Local Government Services National Agreement on Pay and Conditions of Service (Green Book).
- 15 Any agreed cost of living award agreed by the National Joint Council for Local Government Services National Agreement on Pay and Conditions of Service (Green Book) are payable in April each year.

### **GRADING**

- 16 As part of the Single Status Agreement, under the National Joint Council for Local Government Services, Pay and Conditions of Service, the Leicestershire Fire and Rescue Service was required to review their local pay and grading structures for all support staff employees.
- 17 The purpose of the review was to ensure that they complied with Equal Pay legislation and also to bring them into line with salaries of posts within the operational establishment.
- 18 In October 2003, the support staff organisational structures were reviewed within the Service and at the same time all permanent support staff posts below Heads of Department were evaluated using the National Joint Council for Local Government Job Evaluation Scheme. Refer to Service Procedures Human Resources – The Local Government NJC Job Evaluation Scheme, a copy of which is available for reference on SharePoint.
- 19 Following this review a new pay and grading structure was formulated and implemented, the basis of which was by means of using local grades within the existing National Joint Council for Local Government Services spinal column points 4 – 49 range. See Appendix A.
- 20 The grading structure allows for an individual to progress to the maximum point of their grade subject to satisfactory performance. This will allow for two increments per year within 5 years from their date of appointment. However, there are mechanisms in place for individuals to be awarded accelerated increments where they demonstrate performance beyond expectations. See paragraphs 29 - 31 below.

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- 21 There are provisions for dealing with grading issues under the Job Evaluation Scheme. It is the responsibility of management to identify changes in duties, which are significant and would warrant a re-assessment. This could be either additional duties or duties lost. See Service Procedures Human Resources – Support Staff Review Group and Re-grading Procedure a copy of which is available for reference on SharePoint.
- 22 All posts that are evaluated under the Job Evaluation Scheme will be allocated a points score. The points score will be assessed to see where it falls within the grading structure. This will be given a link grade and linked to the lower grade. For example, where the points score falls within Grade E the grading for the post will be graded D/E.
- 23 Where the post is downgraded, the individual's salary will be protected for a period of three years in accordance with the section on Protection of Earnings – see paragraphs 46 – 58 below.

#### **OUT OF HOURS PAYMENTS INFORMATION TECHNOLOGY**

- 24 Information Technology Technicians will be required to provide out of hours cover for which a 20% pensionable payment will be made.

#### **OUT OF HOURS PAYMENTS WORKSHOPS**

- 25 Vehicle Technicians will be required to provide out of hours cover for which a 20% pensionable payment will be made.

#### **INCREMENTS**

- 26 For employees on Green Book conditions one increment will be paid in April subject to satisfactory performance.
- 27 Employees who are on a probationary period will not receive an increment until this has been completed. This will be paid in April depending on when the probation period has finished. In some cases an employee on a fixed term contract may have a shorter probationary period.
- 28 Increments will be withheld if performance is not meeting expectations.

### **ACCELERATED INCREMENTS**

- 29 In exceptional circumstances, where staff are clearly demonstrating performance beyond normal expectations, then managers will be able to consider accelerated progression through the pay scale.
- 30 This increment will only be awarded from the date of the manager's request and no more than one increment will be awarded within a twelve month period.
- 31 However, this will only be implemented following consultation with the relevant Director, the Head of Human Resources, Planning and Performance and the Director of Finance and Corporate Risk Management. This will ensure that a consistent approach is maintained at all times.

### **HONORARIUM/ACTING UP PAYMENT SUPPORT STAFF ONLY**

- 32 There will be occasions when it is fair and equitable to consider if an employee should be considered for additional financial reward outside of their agreed salary grade.
- 33 Honorariums will only be considered if the job description and salary grade are not in question, and an additional payment is being considered on the grounds of additional temporary responsibility; additional temporary work not normally associated with the post; or some other substantive reason not able to be addressed by permanent changes to the job description or salary scale.
- 34 This would include a temporary change of job description and salary scale in the case where a member of staff undertakes a different role that has an agreed job description and salary scale, as in the case of filling the absence of another member of staff. The full difference or percentage may be appropriate for part duties.
- 35 However, this will only be implemented following consultation with the relevant Director, the Head of Human Resources, Planning and Performance and the Director of Finance and Corporate Risk Management. This will ensure that a consistent approach is maintained at all times.

## **SALARY – MARKET PAY SUPPLEMENTS**

### **INTRODUCTION**

36 A market pay supplement will be used when it is necessary to increase salary levels for recruitment purposes. The addition of a market pay supplement is only to be used in exceptional circumstances and in accordance with this policy.

### **PROCEDURE**

37 It is suggested that, before a pay supplement is added to the agreed job evaluated grade and pay, the post should have been advertised already externally on two occasions.

38 If, following re-advertisement, a market supplement is being considered, it should require the agreement of Executive Advisory Board (EAB). Prior to EAB reaching a decision they must receive a detailed report setting out:

- Dates of advertising and re-advertising, the media used and the response rates (number of enquirers, number and quality of applicants and the quality of any shortlisted applicants).
- An assessment of the person specification that had been used to determine whether this could be amended in any way to aid recruitment without the need for a pay supplement.
- Details of comparative remuneration packages with relevant neighbouring employers.
- Implications for existing employees in similar posts.

39 In general, because of the Equal Pay legislation, employers are advised to build in regular review periods so that the need for the market supplement can be reviewed and taken away, if necessary. In practice this is counter productive as it acts as a disincentive to recruitment if the potential applicant is informed that the pay supplement could be removed at any time the organisation feels it is no longer necessary.

## **SUPPORT STAFF EMPLOYEES – STARTING SALARY NEW APPOINTMENTS**

### **INTRODUCTION**

40 It is important that any new external appointments do not start at a higher incremental point than those already in the Service, unless this can be justified through greater previous experience, greater qualifications which the job requires or some other defensible reason. Below sets out the procedure to be followed.

### **PROCEDURE**

41 Any successful candidate for a support staff employee post cannot be offered a salary beyond the minimum point on the scale until the process set out in Paragraph 42 has been completed.

42 Where an appointing manager wishes to make a case for a higher starting salary they will submit, with the assistance of Human Resources, a written report to their Director setting out:

- the proposed starting salary;
- the existing salary points of the existing employees in the same posts in the Section. (This information to be supplied by Human Resources);
- the precise reasons to justify the higher starting salary. (See Paragraph 43);
- the comments of the Head of Human Resources or their representative on the proposal.

43 The prime reasons for justifying a higher starting salary than the minimum point will be:

- greater relevant experience than the internal employees;
- greater relevant qualifications than the internal employees;
- internal employees in similar posts being already on points beyond the minimum point allowing the new recruit to be placed on the same or lower point than the existing internal employee;

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- In exceptional cases the Director may have to consider a higher starting point because of recruitment difficulties. However, the manager seeking the higher starting salary for this vacancy will have to produce supporting written evidence to show that the post could not be filled at the minimum starting salary. (Reference is made to Salary – Market Pay Supplements – see paragraphs 36 – 39 above).
- 44 It will be necessary for the advert to quote the salary range and indicate that the starting salary will be at the minimum point of the scale.
- 45 As internal candidates from the support staff Review move up the incremental scales it will be possible to adjust this policy.

## **PROTECTION OF EARNINGS**

### **INTRODUCTION**

- 46 Leicestershire Fire & Rescue Service is committed to making sure employees have continuity of employment.
- 47 A policy protecting earnings helps redeployment by balancing the needs of the Service and employees. The purpose of the procedure below is to actively seek to return the employee to their previous grade of pay within the protection period.

### **SCOPE**

- 48 This policy applies to all permanent staff employed by Leicestershire Fire and Rescue Service except where:
- employees redeployed under the Fire & Rescue Service capability procedure due to the lack of skill, ability or aptitude;
  - employees who decide themselves to apply for, or remain in, lower graded or part time jobs;
  - employees redeployed due to misconduct
- 49 If an employee feels aggrieved about the application of this policy they have the right to use the Service's Grievance Procedure. See Service Procedures Human Resources – Grievance Procedure & Guidance.

## **WHAT PROTECTION MEANS**

- 50 When an employee not on a fixed term contract is redeployed, their earnings, as defined in paragraph 53 will remain protected for a period of three years. Employees will receive national pay awards and, where appropriate, incremental progression on their protected salary.
- 51 When a protected position becomes vacant, it will automatically revert to the substantive grade.
- 52 Any employee on a fixed term contract will be protected as laid out in paragraph 50 but for no longer than the remaining part of their contract.

## **DEFINITION OF PAY**

- 53 The Service tries, wherever possible, to maintain an employee's earnings following redeployment. Earnings will be calculated before and after redeployment by using these elements:
- monthly salary plus;
  - guaranteed minimum bonus, or average bonus over the previous 13 weeks plus contractual overtime;
  - any regular additional contractual payments.

All other elements of pay are excluded for the purposes of protection.

- 54 Where an employee works variable hours, and needs protection following a redeployment outside their original employee group, the average hours worked over the previous 13 weeks will be used to form the basis of their protection. In cases where weekly earnings can vary, a representative period should be selected. This would normally be a 13 week period prior to transfer, unless this would not be a representative period for calculating average earnings.
- 55 It is only earnings that are protected and not any other conditions of service. Conditions that relate to individual posts such as telephone rental or essential car allowance will be dealt with on an individual basis.
- 56 The County Treasurer's Pension Section will give advice on the pension implications of a protected salary.

## **CIRCUMSTANCES IN WHICH PROTECTION OF EARNINGS APPLY**

- 57 This policy applies when redeployment to another job with lower gross earnings occurs due to:
- departmental reorganisation or restructuring;
  - redundancy
  - downgraded as a result of job evaluation
  - medical capability
- 58 In the case of redeployment due to an industrial injury, protection will be applied by making an injury allowance which is equivalent to the potential reduction in the employee's net pay.

## **SECTION THREE**

### **PAY ADMINISTRATION MATTERS**

#### **METHOD AND DATE OF PAYMENT**

##### **BANK CREDIT TRANSFERS**

- 59 Salaries are paid by bank credit transfer on the last banking day of each month.

##### **CHEQUES**

- 60 Where circumstances necessitate payment by cheque, cheques are encashable on the last working day of the month.

### **CALCULATION OF SALARIES (ANNUAL SALARY PAID MONTHLY)**

#### **MONTHLY SALARY**

- 61 For each calendar month payment shall be one twelfth of the annual salary.

#### **APPORTIONMENT OF PART MONTH FOR NEW EMPLOYEES**

- 62 One day's salary shall be calculated by dividing the monthly sum by the number of days in the particular month. Payment will be made for the number of days in the month (including Saturdays and Sundays) from the commencement to the end of the month.

- 63 Employees working either less than 5 days per week or variable daily hours shall be paid for the actual hours worked times the hourly rate.

#### **APPORTIONMENT OF PART MONTH FOR EMPLOYEES LEAVING**

- 64 One day's salary shall be calculated by dividing the monthly sum by the number of days in the particular month. Payment will be made for the number of days in the month (including Saturdays and Sundays) from the first day of the month to the last working day. Payment will be made for any Saturday and/or Sunday and statutory and general national holidays that immediately follow the last day of work unless the employee take up their new employment on any one of those days when payment will be made up to the day prior to their commencement in their new job.
- 65 Employees working either less than 5 days per week or variable daily hours shall be paid for the actual hours worked times the hourly rate.

#### **APPORTIONMENT FOR ODD DAYS**

- 66 This paragraph shall apply to deductions of salary in respect of unpaid leave. It will also apply to payment of salary in respect of accrued holiday pay due on leaving agreed under Annual Leave – See Service Procedures Human Resources – Annual Leave, paragraphs 8 and 9.
- 67 Where the total number of working days in any one month is not more than four, one day's pay is calculated by dividing the monthly sum by the number of days in the particular month.
- 68 Where the total number of working days in any one month exceeds five days, there shall be added two days (to take into account Saturday and Sunday) for each unit of five days, e.g. in 12 working days there are 2 units of 5 days therefore the apportionment calculation is  $12 + 4 = 16$ .
- 69 When employees apply for and are granted other leave without pay for periods of one month or less payment will be made for Public Holidays if they occur within the period.

#### **EMPLOYEES TERMINATING EMPLOYMENT**

- 70 When an employee leaves on a Friday, payment for the following Saturday and Sunday and any statutory holiday immediately following, is made.

## **OVERTIME RETURNS**

- 71 Overtime claim forms should be completed only up to 26<sup>th</sup> of each month. Following authorisation, they should be forwarded to the Finance Section at Service Headquarters as quickly as possible and not later than the second working day of the following month, to ensure payment with that month's salary.

## **DIRECT DEDUCTIONS FOR SALARIES**

- 72 Where direct deductions are to be made from an employee's salary, the person concerned should be informed by Human Resources at the earliest opportunity and should be able to discuss any problems, which the deduction is likely to cause with the Finance Section, Service Headquarters, before it is made.
- 73 Circumstances where such deductions are necessary usually occur where an employee is leaving and has signed a written undertaking to repay the Service monies, e.g. having a car loan outstanding at the time of leaving, or leaving within the two year period after completing a training course which the Service has paid for.

## **ALLEGED OVERPAYMENTS**

- 74 When an employee is said, by the Service, to have been overpaid, the following measures will be taken by the Finance Department before any recovery of the 'overpayment' is started:
- (a) Employees will be provided with a proper letter of explanation, detailing the overpayment.
  - (b) Employees will be given a sufficient amount of time to consult their Trade Union for advice.
  - (c) In the case of any continued misunderstanding or confusion, the employee will be afforded an interview with someone who can provide a full explanation.
  - (d) Where the employee agrees to repay any monies they should have a proper opportunity to negotiate the method and period over which such repayment is to be made. Where negotiations are not successful, no repayment will be enacted for at least one month after the decision has been communicated to the employee, in writing.

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- (e) When employees contact their own department or the Finance Department at Service Headquarters, the officer dealing with the enquiry should identify him/herself to the employee concerned. Employees who put their requests in writing will receive written responses.

#### **MONITORING AND REVIEW**

- 75 This policy will be monitored and reviewed on an annual basis by the Head of Human Resources, Planning and Performance.
- 76 An analysis of changes to grade, temporary payments and overpayments will be undertaken with any relevant findings reported to Senior Management Team. This will not include operational acting up.
- 77 An update on any such payments will be made at each EAB.

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**APPENDIX A  
SUPPORT STAFF SALARY SCALES**

Grade	Spinal Point
<b>A</b>	11
<b>B</b>	12
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<b>C</b>	15
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<b>D</b>	20
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<b>E</b>	25
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<b>F</b>	30
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<b>G</b>	35
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<b>H</b>	40
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<b>I</b>	45
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