

National Joint Council for Local Government Services

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**To: Chief Executives in England, Wales and N Ireland
(with copies for the Chief Personnel Officer and Treasurer)
Members of the National Joint Council
Provincial/Associated Joint Secretaries
Local Authority Associations' Secretaries**

14 July 2004

Dear Chief Executive

NJC CIRCULAR 4/04 2004/05 PAYSCALES & ALLOWANCES

Agreement has now been reached on rates of pay applicable from 1 April 2004 and 1 April 2005. Given that the rates of pay and allowances applicable from 1 April 2006 may be subject to the RPI figure at October 2005, those rates will be published nearer that time.

The new rates are attached at **Annex 1**. The new rates for allowances up-rated in line with pay are also set out in the annex. In accordance with usual practice, Inner and Outer Fringe Allowances are the only London Weighting rates included in the annex.

This settlement also involves a number of changes to the National Agreement. These are attached as follows:

- Annex 2 – new Implementation Agreement 2004
- Annex 3 – revised Part 2 Para 3
- Annex 4 – revised Part 3 Para 2
- Annex 5 – new part 4.8

Updated pages for insertion into the National Agreement (Green Book) will follow in due course.

Yours sincerely

Mike Walker

Mike Walker

**Pete
Allenson**

Peter Allenson

**Brian
Strutton**

Brian Strutton



Heather Wakefield

Joint Secretaries

SCP	1 Apr 04	1 Apr 05
4	£10,560	£10,872
5	£10,809	£11,127
6	£10,962	£11,286
7	£11,316	£11,649
8	£11,673	£12,018
9	£12,027	£12,381
10	£12,279	£12,642
11	£13,071	£13,458
12	£13,344	£13,737
13	£13,701	£14,106
14	£13,953	£14,364
15	£14,244	£14,664
16	£14,586	£15,015
17	£14,931	£15,372
18	£15,225	£15,675
19	£15,795	£16,260
20	£16,371	£16,854
21	£16,968	£17,469
22	£17,409	£17,922
23	£17,922	£18,450
24	£18,507	£19,053
25	£19,092	£19,656
26	£19,713	£20,295
27	£20,370	£20,970
28	£21,033	£21,654
29	£21,867	£22,512
30	£22,599	£23,265
31	£23,313	£24,000
32	£24,000	£24,708
33	£24,708	£25,437
34	£25,407	£26,157
35	£25,938	£26,703
36	£26,625	£27,411
37	£27,372	£28,179
38	£28,173	£29,004
39	£29,100	£29,958
40	£29,865	£30,747
41	£30,654	£31,557
42	£31,434	£32,361
43	£32,217	£33,168
44	£33,009	£33,984
45	£33,750	£34,746
46	£34,566	£35,586
47	£35,358	£36,402
48	£36,147	£37,212
49	£36,921	£38,010

Part 3 Paragraph 2.3(e) Sleeping-in Duty Payment

1 Apr 04
£29.22

1 Apr 05
£30.08

RATES OF PROTECTED ALLOWANCES AT 1 APR 04 and 1 APR 05 FORMER APT&C AGREEMENT (PURPLE BOOK)

Paragraph 28(3) Nursery Staffs in Educational Establishments - Special Educational Needs Allowance

1 Apr 04
£1044

1 Apr 05
£1074

Paragraph 28(14) Laboratory / Workshop Technicians

City and Guilds Science Laboratory Technician's Certificate Allowance

1 Apr 04
£168

1 Apr 05
£174

City and Guilds Laboratory Technician's Advanced Certificate Allowance

1 Apr 04
£126

1 Apr 05
£129

Paragraph 32 London Weighting and Fringe Area Allowances £ Per Annum

Inner Fringe

1 Apr 04
£708

1 Apr 05
£729

Outer Fringe

1 Apr 04
£492

1 Apr 05
£507

Paragraph 35 Standby Duty Allowance - Social Workers (1)(a)(i) Allowance - Per Session

1 Apr 04
£23.52

1 Apr 05
£24.21

FORMER MANUAL WORKER AGREEMENT (WHITE BOOK)

Section 1 Paragraph 3 London and Fringe Area Allowances £ Per Annum

Inner Fringe Area

1 Apr 04
£708

1 Apr 05
£729

Outer Fringe Area

1 Apr 04
£492

1 Apr 05
£507

IMPLEMENTATION AGREEMENT 2004

1. Local Pay Reviews must be completed and implemented by all authorities by 31 March 2007. Both Sides in individual local authorities will enter into negotiations, with a view to reaching an agreement on new local pay structures and systems by April 2006. The national parties will agree a mechanism to monitor the successful completion of local pay reviews. Progress will be reported to the NJC.
 2. In keeping with the 1997 agreement, the NJC encourages a joint approach to pay reviews.
 3. This National Agreement requires local employers to produce comprehensive proposals by a specific date; requires both local parties to negotiate towards a settlement by a date to be agreed and requires an agreed mechanism for dealing with situations where progress cannot be made – as recommended by the Local Government Pay Commission. Both Sides of the NJC affirm a preference for negotiated outcomes at local level and agree to use their best offices to promote these.
 4. Those authorities that have completed local pay reviews, and those whose pay and rewards approach already provide a single status pay structure under Part 2 Para 5 of the National Agreement are required to produce a statement to that effect.
 5. Negotiations on local pay reviews should take place in accord with the Pay & Grading section of the 1997 Implementation Agreement and Part 2 Para 5 of the National Agreement. Local pay & grading reviews should include:
 - A new pay and grading structure
 - Details of the approach to be taken to determine the relative sizes of the jobs included*
 - Proposals for protection
 - Proposals for premium rates
 - Proposals for progression
 - Proposals for back pay
 - Proposals for appeal against assimilation proposals
 - An Equality Impact Assessment of proposed changes to grading and pay and other conditions.
 - An Equal Pay Audit where local pay reviews have been completed without such an audit.
 - Proposals for bonus and other performance payments
 - Proposals for any cost savings or productivity improvements required to offset the cost of implementation
 - A timetable for implementation by 31 March 2007
 - Resources necessary for the pay review and their estimated cost.
- *the Local Government Pay Commission recommends that use of a job evaluation scheme other than the NJC scheme should comply with its basic principles.
6. The proposals must make clear how they are designed to take account of service improvement and promote better work-life balance for employees.

7. The local timetable will include a date at which any outstanding issues will be referred to an assisted bargaining process within which the two local parties would be assisted towards a settlement by an agreed third party.
8. Local employers will propose a timetable for regular equal pay audits. The National Joint Secretaries will produce joint advice on the approach to be taken to such audits.
9. There will be a joint review of Part 2 employee benefits to report to the NJC by 1 April 2005.
10. There will be a joint review of Part 3 Paras 2.1 to 2.7 incl to report to the NJC by 1 April 2007.
11. Both Sides will enter into discussions to reach a National Agreement on the improvement of services that will replace the current agreement on Best Value. This agreement will deal explicitly with Best Value, CPA, Treasury guidance on staff transfer, efficiency, the code of practice on a two-tier workforce and changes in pension transfer provisions.
12. Agreement has now been reached on rates of pay applicable from 1 April 2004 and 1 April 2005. Given that the rates of pay applicable from 1 April 2006 may be subject to the RPI figure at October 2005, those rates will be published nearer that time.

3. Training and Development

- 3.1 Authorities will develop local ‘Workforce Development Plans,’ closely linked to their service delivery plans, which will provide the focus for the establishment of training and development priorities. Training and development should be designed to meet the corporate and service needs of authorities both current and in the future, taking into account the individual needs of employees. Local schemes on training and development should enable authorities to attain their strategic objectives through development of their employees. Training and development provisions should be shaped to local requirements and take account of the full range of learning methods. Such an approach should enable access to learning for all employees. The needs of part time employees and shift workers need particular consideration.
- 3.2 Employees attending or undertaking required training are entitled to payment of normal earnings; all prescribed fees and other relevant expenses arising. Employees are also entitled to paid leave for the purpose of sitting for required examinations. When attending training courses outside contracted daily hours, part-time employees should be paid on the same basis as full-time employees. (Assistance for other forms of learning, for example that directed at individual development, will be locally determined). Some training can be very expensive and authorities may require repayment of all or part of the costs incurred should an employee leave the authority before a reasonable time period has expired. The authority’s policy in this regard should be made explicit.
- 3.3 Objectives for training and development programmes should include the following:
- To enable Councils to attain their strategic objectives via investment in their employees.
 - To promote equity of access to learning.
 - To encourage employees to develop their skills and level of responsibility to the maximum of their individual potential.
 - To widen and modernise the skills profile of employees to maximise their versatility, employability and so, job security.
 - To enable employees to raise productivity, quality and customer service in pursuit of sustainable improvement
- 3.4 Authorities should establish local partnership arrangements, to include recognised trade unions, to develop their local workforce development plans.
- 3.5 The NJC endorses partnership provision such as the “Return to Learn” scheme. Authorities and the recognised trade unions shall encourage and support employees taking on the statutory Union Learning Representative (ULR) role. This will include agreeing facilities and paid release in accordance with statutory provisions. ULRs should be enabled to play a full part in promoting and implementing local training and development programmes.

2. Working Arrangements

- 2.1 The arrangement of the working week shall be determined by the authority in consultation with the recognised unions with a view to reaching agreement. The working week of individual employees may vary from the standard of 37 hours (36 in London) provided that the individual's average over a predetermined period does not exceed the standard working week over the same period.
- 2.2 Local pay reviews will consider the issue of premium rates under the existing provisions of Part 3 of the National Agreement. In reaching local agreement concerning premium rates Paras 2.3 to 2.5 will apply. Where no local agreement concerning premium rates is reached Paras 2.6 and 2.7 will apply.
- 2.3 All employees required to work:
- Beyond the full-time equivalent hours for the period in question
 - On Saturday or Sunday
 - At night
 - Sleeping-in duty
 - Public Holidays
 - Shift work
 - In the evening
 - On free or rest days
 - Following recall to work
 - On standby
 - On split shifts or split duties
 - On an irregular hours basis
 - Managing evening lettings

will have the arrangements for remuneration for these working patterns, clearly set out in their contracts of employment. This may be by way of an inclusive rate of pay; locally agreed premium payments, or, by such other method as shall be agreed by the local parties.

- 2.4 The pattern of any revised working arrangements and remuneration adopted by an authority should be clearly related to the continuous improvement of council services. In determining any new working arrangements required to deliver improvements authorities will:
- i. Seek to meet employees' work-life balance needs and agree new arrangements that reflect the Joint Guidance at Part 4.5.
 - ii. Conduct an Equality Impact Assessment consistent with the NJC model that will be set out in Part 4.
 - iii. Ensure that part-time workers receive equal treatment in line with the provisions of Part 2, Para 8.
 - iv. Ensure that arrangements are consistent with Equal Pay legislation.
- 2.5 In seeking to ensure work-life balance and the needs of the service, working time arrangements should avoid:
- Short notice changes to rostered or expected patterns of work
 - Excessive hours in any particular week
 - Unnecessarily long roster periods

- 2.6 Employees, in receipt of basic pay at or below point 28, who are required to work (a) beyond the full-time equivalent hours for the week in question or (b) on Saturday or Sunday or (c) at night or (d) on public holidays or (e) sleeping in duty or (f) other non-standard working arrangements are entitled to compensation as set out in sub-paragraphs (a) to (f) below.

As an alternative, an inclusive rate of pay to recognise these requirements may be negotiated locally in accordance with the arrangements for modifying Part 3 provisions.

(a) **Additional Hours**

Employees who are required to work additional hours beyond their working week are entitled to receive enhancements on the following basis:

Monday to Saturday	Time and a half
Sundays and Public and Extra Statutory holidays	Double time (min 2 hours)

(Part-time employees are entitled to these enhancements only at times and in circumstances in which full-time employees in the establishment would qualify. Otherwise a full working week for full-time employees shall be worked by a part-time employee before these enhancements apply).

(b) **Saturday and Sunday Working**

Employees who are required to work on Saturday and/or Sunday as part of their normal working week are entitled to an enhancement.

Saturday	Time and a half
Sunday	Time and a half - basic pay above point 11 Double time - basic pay at or below point 11

(c) **Night Work**

Employees who work at night as part of their normal working week are entitled to receive an enhancement of time and one third for all hours worked between 8.00 pm and 6.00 am.

(d) **Public and Extra Statutory Holidays**

Employees required to work on a public or extra statutory holiday shall, in addition to the normal pay for that day, be paid at plain time rate for all hours worked within their normal working hours for that day. In addition, at a later date, time off with pay shall be allowed as follows:

Time worked less than half the normal working hours on that day	Half Day
Time worked more than half the normal Working hours on that day	Full Day

(e) **Sleeping-in duty**

Employees required to sleep in on the premises shall receive an allowance as set out on the card inside the back cover. This allowance

covers the requirement to sleep in and up to 30 minutes call out per night, after which the additional hours provisions will apply.

(f) **Other non-standard working patterns**

Where employees are engaged in non-standard patterns of work other than those covered by (a) to (e) above, local arrangements for compensation will be negotiated.

This will include, for example:

- (i) shift working
- (ii) free and rest day working
- (iii) evening working
- (iv) recall to work (including travel time)
- (v) standby duty
- (vi) unavoidable split shift or split duty working
- (vii) irregular hours working
- (viii) lettings.

- 2.7 For employees above point 28 the employing authority shall have discretion to pay the allowances set out in 2.6 (except additional hours) or to apply an inclusive rate of pay to take all the features of the job into account. For planned additional hours working the authority may also make an additional payment.

Part 4.8: Guidance on Local Workforce Development Plans

1. Preamble

- 1.1 The NJC believes that investment in workforce development is essential to the sustainable improvement of local government services. This guidance is intended to assist in developing and implementing plans for workforce development.

2. Workforce Development Plan Guidelines

- 2.1 The NJC recommends that plans include:
- Targets and commitments on access to learning.
 - The approach to developing Learning Partnerships including any delivery of programmes jointly with the trade unions
 - Provisions for ensuring that managers and trade union representatives are jointly trained to deliver the plan
 - The approach expected of contractors in relation to workforce training and development.
- 2.2 The plan should also cover the role of Union Learning Representatives and specify the following in detail:
- Paid time off to attend Union Learning Representative training and accreditation
 - Paid time off to attend joint training with managers in connection with developing and implementing the agreement
 - Paid time off and facilities to carry out Union Learning Representative duties
 - Any paid time off arrangement for employees to consult Union Learning Representatives.
- 2.3 The following section contains action points that authorities may wish to include as part of their plans:
- 2.3.1 **Corporate strategy:**
- Strive to become a ‘Learning Local Authority’¹ including seeking and maintaining Investors in People or Public Sector Excellence Model status
 - Assess the authority’s future skill requirements, then examine the age profile and turnover of their current workforce (overall and by occupation) to identify areas that are a priority for action.
 - Monitor their workforce in relation to equality and use measures such as positive action training to address under-representation of any groups in relation to the profile of the local community
 - Identify external funding opportunities (such as individual learning fund accounts, Learning and Skills Council funds) and other resources such as local school or college facilities that can be used to assist in workforce development.

¹ Authorities that create a supportive climate and encourage learning for all their employees. For details see the EO website; <http://psd.lg-employers.gov.uk/> government occupations and roles. For details see the EO website at: www.lg-employers.gov.uk/

2.3.2 Investing in the current workforce:

- Give priority to addressing basic skills needs and to providing basic ICT skills development opportunities for employees.
- Explore new methods of learning such as distance learning and e-learning.
- Ensure that all managers have the skills to support their staffs' development, including the ability to organise on the job development opportunities and offer coaching.
- As part of employee benefit packages (to help to recruit and retain learning staff) and to encourage a positive attitude to learning, offer a variety of learning opportunities to enable employees to develop skills and knowledge beyond what they might need for work. (For example: by developing learning partnership arrangements with other local organisations; by finding ways to subsidise or negotiate reduced fees for college courses; or by setting up learning centres).
- Benchmark workforce development spend as a percentage of payroll against other public sector organisations

2.3.3 Investing in the future workforce:

- Contribute significant time and resources to effectively promoting local government careers in local schools, colleges and universities, via Connexions, Learning and Skills Councils and other careers services, etc.
- Devote sufficient resources to marketing the authority as a positive employment choice, e.g. pay attention to the quality of advertisements and recruitment materials
- Invest in sufficient progression opportunities and trainee posts to address future skill needs.
- Give appropriate priority to taking on student placements, both supporting the development of those in specific occupations and more general ones e.g. for undergraduates and those still at school.
- Set up or participate in schemes to attract groups of young people, such as Apprenticeships or Graduate Trainee schemes.

2.4 Implementation and Measuring Progress:

The Workforce Development Plan should set out:

- Assessment of current performance against the commitments;
- Key targets and performance indicators for improvement;
- Milestones and timetables towards achieving these targets;
- Responsibility for action;
- Methods for monitoring, and reviewing progress.
- Role of any local partnership arrangements

3. General Information and Advice

3.1 Workforce Development Plans can cover all types of learning including:

- Job-related training designed to equip employees to undertake their current job;
- Initiatives designed to develop new skills and knowledge, relating either to their current role or expanding scope for progression;
- Training and development that allows an employee to develop skills and confidence but is largely unrelated to the current role.

3.2 Workforce Development Plans are likely to concentrate on the first two areas of training and development. However authorities may wish to consider ways in which they might promote the third area as part of recruitment and retention initiatives, to promote learning designed to cover skills gaps and to encourage a positive approach to learning.

3.3 Workforce Development Plans should have clearly quantified objectives. These may include targets such as:

- An annual development assessment review for each employee.
- Specifications on access to learning opportunities for all employees.
- A specified level of achievement for nationally recognised qualifications.

3.4 The NJC recognises that quality marks such as Investors in People help to benchmark achievement in training and development and it encourages councils to seek this and other forms of appropriate external benchmarking of their training and development activity. The NJC will track progress, using indicators promoted by the People Skills Scoreboard to include Race, Gender, Age, Disability and Grade.

3.5 Apprenticeships and traineeships

Following a local grading review the local parties may agree apprentice and trainee pay rates and training schemes for individual jobs. Training schemes could provide for:

- Any arrangements for appointment to a permanent post following satisfactory completion of training.
- Training for a nationally recognised qualification where this is available.
- Quality training provided, or supervised by, a reputable training provider.

3.6 Skills Pathways

Skills pathways are an approach to workforce development that focuses on the acquisition of core skills and occupational experience and values needed to enable an individual to perform at a level of competence within an occupational role.

The purpose of skills pathways is to clearly identify and map out opportunities for career progression, against the core competence levels required. These levels of competence are currently defined by the National Occupational standards framework, however local authorities would be encouraged adapt these to meet regional and local needs.

Skills pathways will provide a clear set of expectations (skills profiles) and the mechanisms that need to be in place to assist employees obtain career progression in an occupational role. Skills pathways are not guaranteed steps to obtaining employment and must not be seen as stand alone approach.

Implementation will ensure that individuals can update their skills and are supported in the drive for continuous learning and improvement. This initiative will also provide opportunities for staff to move between services e.g. teaching assistants may become social workers or care workers.

3.6 Individual Development

Local schemes providing access to funds for individual development may be developed. The following broad characteristics are recommended:

- An account controlled by the individual employee but with a limited range of providers and with rigorous accounting procedures in place
- Administration provided by or funded by the employer or an agreed external agency
- Provision to be funded by any grant support available, an employer contribution, and an agreed employee contribution by deduction from salary
- Links with one or more training providers and/or internal training facilities with an agreed range of learning options.
- A focus on individual development, not usually supported by the employer.