

Employee Relations and Role & Grading Frameworks

Pay Protection Policy

1 Introduction

This Policy is part of both the Role and Grading and the Employee Relations Frameworks, which are made up of a number of elements which together encompass all formal policy, procedure and statement documents, including associated forms, relating to role and grading and employee relations in Abertay University (the “University”).

This policy applies to all employees who have a minimum of 24 months reckonable service with the University and explains the policy on pay protection applicable for specific situations.

It is the policy of the University that all employees will receive equal pay for work of equal value. It contradicts equal pay principles to have different protection arrangements for each employee category or to have indefinite or very extended periods of protection which could lead to pay inequities.

If you would like this document in a different format (e.g. large print, braille) or need any assistance to access or understand the policy/procedure please contact your School/Service designated Senior HR Officer.

2 Purpose and Scope

The University recognises and values the contributions made by employees, and seeks to accommodate the interests of employees in pursuing its objectives. However, in the course of its business, it is sometimes necessary for the University to make decisions about its organisation which may have an adverse impact upon the jobs of one or more employees.

Where it can, the University will seek to mitigate any such adverse impacts, and the following policy sets out how the University will manage those cases in which the roles of employees are down-graded as a result of a re-organisation; where an employee is redeployed to alternative work within the University or where there has been a change to the University pay grading structure and/or salary scale.

This policy sets out the principles which govern the protection of pay in the case of organisational change and sets out the pay protection arrangements that will be followed.

This policy is determined at the discretion of the University. It does not form part of the contract of employment between the University and an employee.

3 Circumstances when pay protection arrangements will apply

There may be occasions when financial pressures, changes in the demand for services, funding provision, efficiency or effectiveness considerations, or organisational, technological or academic developments result in altered or reduced staffing requirements or changes to the pay and grade structure.

Pay protection arrangements will apply:

3.1 In the event that the University's pay and grading structure changes, and evaluation determines that the rate of pay of an employee on the former pay and grading structure is higher than the top point of the grade for their role in the new structure.

3.2 When, as a result of organisational change an employee is redeployed to another role that is a lower grade, for reasons unrelated to their personal performance.

Where redeployment is to a post below the job holder's substantive current grade, pay protection will be for a period of two years. During this time the post holder may apply for positions which return them to their substantive grade. Guidance in relation to redeployment can be found in the University's Redundancy Procedure.

4 Circumstances when pay protection arrangements will not apply

4.1 Where an employee chooses to apply for a post at a lower grade.

4.2 Where an employee is unable, e.g. for reasons of ill health, to continue in their previous role and is offered and accepts a lower graded role that is within their capability.

4.3 Where, following formal procedures to address issues of conduct or capability, an employee is offered and accepts a role that is at a lower grade.

4.4 Where an employee is receiving an uplift to their salary via a fixed term, temporary or acting contract or allowance, which comes to an end.

4.5 Where there an employee has no contracted hours and/or their contractual pay rate is variable.

5 Protection Arrangements

Pay will be protected from no later than the date at which the new grade change becomes effective¹. At that point, the employee's original grade will change to the new grade, but they will remain on the salary they were on at the time the protection came into force, with no further incremental progression.

During the protected period the protected rate of pay will be 'frozen', i.e. not increased in line with annual pay awards.

The length of pay protection will be for a period of 24 months or until the end of the employment contract, whichever is earlier.

¹ Where changes to the grade and pay structure are subject to collective consultation, the protection period may be deemed to begin once collective consultation on an identified pay inequity is underway.

The salary will reduce to the top incremental point² of the new grade after the end of the period of pay protection, unless there has been a change to the salary scale during this time.

All employees may request a re-evaluation of their role to assess whether a higher grade could be gained by following the University's Role and Grading Procedure.

If at any time during the protected period the role is assessed as being at the original (pre-protection) grade, the protection arrangements will no longer be required and the employee will move to the point that they would have reached had the protection (including freezing of incremental progression) not been in place.

If at any time during the protected period the role is assessed as being at a higher grade than the original grade, the protection arrangements will no longer be required and the employee will move to the bottom point of the new grade.

Where pay protection is to apply, the salary of an employee will be 'frozen' at the current level (as at the point of redeployment/regrading), with no entitlement to annual increments or cost of living increases. However, if the application of such cost of living increases would take the employee's substantive pay, i.e. the top point of the new grade, above the level of their protected pay, protection will no longer be required and they will be moved to their substantive pay point.

During the period of protection an employee may be required to undertake duties commensurate with the original grade.

6 Personal Development Plan (PDP)

There is no guarantee that an employee will move to a higher grade, but a PDP may allow opportunities which might otherwise not have been available. Further guidance on personal development plans can be obtained from the Human Resources Department.

Pathways is the University's appraisal system, which aims to raise managerial effectiveness, improve communication between managers and their staff, improve individual and institutional performance and contribute to an enhanced student experience at Abertay.

All staff are encouraged to take responsibility for their own continuous development. It is also important that staff are equipped with the necessary skills and knowledge not only to perform their current role, but also to prepare them for future opportunities and changes required in order to support the continued success of the institution.

A Personal Development Plan (PDP) is a set of personal objectives and targets aimed at developing the role and/or employee to benefit, and in the interests of, the School/Service and to develop the employee to their full potential to allow them the opportunity to apply for alternative roles in the University.

The line manager is responsible for ensuring that all employees covered by protection arrangements are offered advice and support in relation to having a PDP, and career progression support, with advice and support from their designated Senior HR Officer as appropriate.

There will be an initial meeting with the line manager to agree the PDP followed by a review at regular intervals (normally every three months). Following a review, the role holder or a line manager may request a re-evaluation of the role to assess whether a higher grade has

² Excluding the 'Contribution Zone'.

been attained. The form of the evaluation will be in accordance with the role and grading procedure. Following this outcome the pay protection arrangements will then be reviewed.

7 Pension

Where an employee suffers a permanent reduction in their pensionable remuneration which is not attributable to their own act or request, they should contact the appropriate pensions department as soon as possible to establish any possible implications.

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