

THE 2009 PAY AWARD FOR NICS STAFF UP TO AND INCLUDING GRADE 6 GENERAL QUESTIONS AND ANSWERS

This Question and Answer brief should be read in conjunction with the Pay Circular that sets out the details of the 2009 pay award. It covers all non-industrial staff who were in the NICS on 1 August 2009, up to and including Grade 6. **The pay award refers to the reporting year 1 April 2008 to 31 March 2009 and is payable from the settlement date 1 August 2009 for those grades listed in paragraph 4 (a) and (b) of the Pay Circular dated 13 August 2010 or 1 February 2010 for those listed at 4 (c).** Click on the question to go to the answer.

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Q.1 What if I have not had my report yet?

If your report has not been completed your box marking, for the purposes of calculating your new pay, will be based on the previous annual report. If you previously achieved a Box 1, 2 or 3 marking, you will receive your one step progression. However you should still speak to your line manager about having a report completed. [<back to questions>](#)

Q.2 When will I receive payment?

Subject to satisfactory testing we aim to pay the 2009 pay award (which is applicable from 1 August 2009 or 1 February 2010, as appropriate) to the first tranche of staff in September 2010, namely:

(a) all eligible fully satisfactory or better performers at EO2 and analogous grades and above; and

(b) all eligible fully satisfactory or better performers at TG1, TG2, Assistant Scientific Officer, Asst Draughtsman, Conservation Grade G, Trainee Inspector TSS and Assistant Warden grades;

with the remainder receiving their pay award in October 2010, namely:

(c) all eligible fully satisfactory or better performers at AA, AO and analogous grades (except those listed in (b) above);

(d) staff who were substantively or temporarily promoted from AA/AO to EO2 grades or above. [<back to questions>](#)

Q.3 Are the increases pensionable?

Up to the pay scale maxima all increases will be fully consolidated and pensionable. If you are on the maximum point of your pay scale, with the exception of Graduate Trainees and students whose pay scales are linked to the EO1 and AA pay scales respectively, you will receive a non-consolidated payment of £270. The non-consolidated payments will be pro-rated for staff who do not work full conditioned hours based on their working pattern as at the pay settlement dates. [<back to questions>](#)

Q.4 Are new entrants during the reporting year eligible for the pay award?

As a newly appointed officer you will be eligible for a pay award only if you have been in post for a period of more than 3 months of the reporting year (i.e. appointed before 1 January during the reporting year) and have a performance appraisal marking of Box 3 or better in the most recent report up to 31 March 2009.

Where an officer employed on a casual or fixed term basis is made permanent at any grade, their previous service should count as continuous service provided there is no break in service. A break in service is defined as a period of at least one week.

If you have been appointed on or after 1 January during the reporting year you will not be eligible for the one step progression, however you will be entitled to receive the benefit of any revalorisation/restructuring of your pay point. If you started on the minimum of the old pay scale, you will move to Minimum 1 of the new pay scale. However, if you started above the minimum, for example on Point 3 on the old pay scale, you will move across to the point on the new pay scale that is of equal or next highest monetary value. [<back to questions>](#)

Q.5 Why am I still on the minimum of the scale?

Among the concerns raised in recent years has been the level of starting pay, pay scale minima and overlapping pay scales. One method chosen to address this has been the removal of the minimum point of the pay scales. We are conscious of the fact that this means that some good performers will again remain on the minimum, albeit the new minimum of their pay scale. [<back to questions>](#)

Q.6 What about staff on Statutory Maternity Leave or Sick Leave Absence on Full or Half Rate of Pay?

For pay progression purposes where you were absent for part of the reporting year due to Statutory Maternity Leave or sick absence on full or half rate of pay you will be awarded an overall box marking based on performance for that part of the year when you were in attendance. The latest box mark earned in the grade may be used to inform the decision.

If you are on Statutory Maternity Leave or sick absence (except at pension rate) for part of the reporting year you will be eligible for the pay award.

If you have been on sick absence for the full reporting period and there is no period of attendance on which performance can be assessed, the Department will assume a Box 3 performance marking, provided your immediately preceding report marking is Box 3 or better, and the pay award will be applied accordingly.

If your immediately preceding report marking is Box 4 or 5 then a Box 4 will be assumed and the arrangements for Box 4 will be applied i.e. revalorisation/restructuring as appropriate of the existing point – you will move from your pay point on the old pay scale to a pay point on the new pay scale that has the same or next highest monetary value. [<back to questions>](#)

Q.7 What about staff on career breaks?

If you have gone on a career break after 1 April 2002, you will return at the end of the career break period on an equivalent revalorised pay point but not necessarily the same numerically numbered pay point.

If you either commenced or were on a career break on or after 1 August 2006, you should return at the end of the career break, on a point that has increased by at least the revalorisation rate applicable to the maximum of your pay scale, subject to not exceeding the revised maximum of your pay scale.

When determining the pay point however, any qualifying service during the reporting year in which your career break began should be taken into account at the pay award date immediately following the start of the career break.

Where you have un-rewarded pre/post career break service for part of the reporting years 1 April 2002 to 31 March 2005 when the career break began/finished, this should be treated as follows at the following pay award date:

- If you have service of 6 months or less during the reporting year in which the career break commenced/finished you are not eligible for a pay award for that year.
- If you have service of more than 6 months during the reporting year in which the career break commenced/finished you will be eligible to be considered for a pay award for that year if you are a Box 3 or better.

Where you have un-rewarded pre/post career break service for part of the reporting years 1 April 2005 onwards when the career break began/finished, this should be treated as follows at the following pay award date.

- If you have service of 3 months or less during the reporting year in which the career break commenced/finished you are not eligible for a pay award for that year.
- If you have service of more than 3 months during the reporting year in which the career break commenced/finished you will be eligible to be considered for a pay award for that year if you are a Box 3 or better.

The arrangements for staff who started a career break before 1 April 2002 placed an officer returning from career break on a pay step equivalent to their position relative to the scale maximum at the start of the career break, whilst taking account of the general across the board increase to the maximum and not the additional steps which were applied to some salary maxima in pay settlements since 2000.

As at 1 April 2002 you will assimilate onto the new pay arrangements as per the arrangements agreed as part of the 2002 pay settlement. When you return from a career break you will return to this pay point taking account of any revalorisation and renumbering of pay scales as a result of intervening pay settlements since 2002.

If you have returned from a career break after 1 April 2005 and have more than 3 months service during the reporting year you will be eligible to be considered for a pay award for that year.

If you have returned from a career break after 1 April 2005 and have 3 months or less during the reporting year you will not be eligible to be considered for a pay award for that year. [<back to questions>](#)

Q.8 What about staff on Sick Absence at Pension Rate of Pay (PROP) and Unpaid Sick Absence?

If you have been on Pension Rate of Pay (PROP) or unpaid sick absence for a total of 274 days or more, you will not be eligible for a one point pay uplift. However you will move across to the point on the new pay scale that is of equal or next highest monetary value.

If you have been on Pension Rate of Pay for a period of less than 274 days of the reporting period, you will be eligible to receive a one point pay uplift at 1 August 2009 or 1 February 2010, as appropriate (subject to satisfactory or better performance). [<back to questions>](#)

Q9 What if I am on unpaid leave? (Including unpaid Maternity Leave following Statutory Maternity Leave)

If you have been on unpaid leave for a total of 274 days or more of the reporting period, you will not be eligible for a one point pay uplift. You will

move across to the point on the new pay scale that is of equal or next highest monetary value.

If you have been on unpaid leave for less than 274 days of the reporting period, you will be eligible to receive a one point pay uplift at 1 August 2009 or 1 February 2010, as appropriate (subject to satisfactory or better performance). [<back to questions>](#)

Q10 What about staff on mark time?

If you are on mark time pay your pay will be progressed eroding the mark time element. [<back to questions>](#)

Q.11 What about staff employed on a temporary contract?

As a temporary/casual member of staff you will have your existing salary increased to the new pay scale minimum of your grade. However if you have been in post prior to 1 January of the reporting year and are still in post on the settlement date, you may be entitled to a one point pay uplift. [<back to questions>](#)

Q.12 What about staff who were promoted during the reporting year?

Normally you have to have 3 months service in the higher grade to receive a pay uplift at the higher grade but it has been agreed that **for the 2009 pay award only**, you will receive a pay award in the higher grade providing you have a Box 3 or better appraisal in the reporting year ending 31 March 2009. [<back to questions>](#)

Q.13 What about staff who are on temporary promotion (T/P) on the pay settlement dates?

Due to the fact that HRConnect went live in November 2008, information regarding temporary promotions is unavailable prior to that date and to

implement the three month qualifying rule for staff that were temporarily promoted would entail a massive logistical exercise.

It has therefore been agreed that **for the 2009 pay award only**, if you were on temporary promotion at the pay award date (i.e. 1 August 2009 or 1 February 2010, as appropriate), and have a Box 3 or better appraisal marking during the reporting period, you will receive a pay award in the higher grade and scale whilst you will notionally receive the pay award at your substantive grade.

If you have reverted to your substantive grade by 1 August 2009 or 1 February 2010, as appropriate, then this is the grade and scale that is applicable at the pay award date i.e. the pay award should be based on the box marking awarded for the substantive grade and progressed on your substantive scale. [<back to questions>](#)

Q.14 What about staff who have worked overtime etc.?

As the pay award is being backdated to 1 August 2009 or 1 February 2010, as appropriate, staff who have worked overtime, were deputising or received allowances that are based on a percentage of annual salary will have rates recalculated to take account of the increase, and arrears paid. [<back to questions>](#)

Q.15 What if I received a Box 4 or 5 marking?

If you have received a Box 4 or 5 performance appraisal marking you are not eligible for a one point progression uplift. You will therefore remain on your existing point, although you will be eligible to receive the benefit of any revalorisation/restructuring of that point. However if you are on the minimum of the old pay scale you will move to Minimum 1 of the new pay scale. If you are above the minimum of the old pay scale, you will move across to the point on the new pay scale that is of equal or next highest monetary value.

Also see question 16 “Split Box Markings” for guidance on treatment of Box 4 / Box 5 performance on transfer. [<back to questions>](#)

Q.16 What if I received split box markings during the reporting year?

If you have two different box markings in the same grade (e.g. if you have transferred to a new Department mid year), this should not normally impact on the pay uplift providing you remain a satisfactory or better performer.

If, on transfer to a new post you receive a Box 4 or Box 5 appraisal marking you will continue to be eligible for the pay uplift provided the period covered by the Box 4 or 5 marking is less than 9 months of the reporting period and your previous report was Box 3 or better. Thus if an officer were to receive a Box 4 marking for the July to March period, he/she should receive a full pay award since they had satisfactory performance for more than 3 months of the reporting year.

If you receive a Box 4 or 5 marking which covers a period of 9 months or more of the reporting year, you will be treated in line with question 15 above i.e. you will not be eligible for a pay award and will remain on the same pay point receiving the value of any revalorisation/restructuring i.e. you would move from your existing old pay point to the pay point on the new scale of an equal or next highest monetary value.

If there is a 25:75 split in the appraisal markings covering the reporting year (e.g. where one report covers the period up to 30 June and the second covers the period starting 1 July) you will be awarded the pay award resulting from the report on the 75% of the reporting year. [<back to questions>](#)

Q.17 Am I entitled to a non-consolidated bonus?

It was agreed between the Management and Trade Union Sides of the Central Whitley Council to remove Non-Consolidated, Non-Pensionable

Bonuses from this year's pay award and to use the available money to fund consolidated pay increases. [<back to questions>](#)

Q. 18 I am on the maximum of my substantive grade pay scale but was temporarily promoted at the 1 August 2009. Am I entitled to a non-consolidated payment?

You should only receive a non-consolidated payment, which is payable to staff at the maximum of their substantive pay scale, if you revert to your substantive grade before the 1st February following the pay award date (i.e 1 February 2010). If however you are still on temporary promotion at the 1st February following the pay award date, you will not receive the non-consolidated payment.

HRConnect are working to identify cases where staff have reverted to the maximum of their substantive pay scale before 1 February 2010 and, where due, non-consolidated payments will be paid in October 2010 pay. [<back to questions>](#)

Q.19 Am I entitled to more annual leave?

At 1 February 2010, if you have five years or more service, you will be entitled to a total of 30 days annual leave. Staff who will hit the five year's service trigger point after 1 February 2010 will have their annual leave entitlement pro-rated accordingly. [<back to questions>](#)

Q.20 What changes are being introduced to overtime entitlement?

With effect from 1 February 2010 staff that are analogous to EO1 or below, and were previously paid overtime using Band 2 rates, will be paid overtime using Band 1 rates and the overtime maximum hourly rates applicable to Band 1. [<back to questions>](#)

Q.21 Where can I get further information about the pay award?

All enquires about the content of this brief or the application of the terms of the Pay Circular should be addressed to HR Connect. You can also access the pay website on www.pay.nics.gov.uk. [<back to questions>](#)