Salary Policy

Policy statement
The Office of the Police and Crime Commissioner (OPCC) aims to achieve equality of opportunity in its employment practices and pay and reward arrangements. It makes every effort to ensure that employees are paid the correct salary and allowances in accordance with the Employment in the Office of the Police and Crime Commissioner Agreement and subsequent variations and an employee’s Statement of Employment Particulars.

Scope
All employees of the OPCC.

Casual workers are explicitly excluded from the Employment in the Office of the Police and Crime Commissioner Agreement.

Policy outcome
The aims of this policy are to:
- ensure consistent and transparent pay and reward arrangements apply to all staff
- outline arrangements for payment of salaries, allowances and additional payments
- define when overpayments will be recovered
- define when pay advances will be made

Check which policy to use
Reimbursement of expenses is defined within the Expenses Policy.
Key definitions

**Job grading** - the HCC grade of OPCC roles is determined by following the same internal process used to managerially assess the grade of HCC jobs. An experienced job evaluator managerially evaluates the role to establish the indicative grade the role would map across to in HCC’s grading structure, sense checking the outcome against existing, evaluated HCC role profiles.

In line with the principles of job evaluation, non-evaluation factors such as current pay, role holders etc. are not taken into account.

**Pay award** – the outcome of a review of salary ranges. Salaries are increased in accordance with an agreed percentage or amount.

**Step** – pay progression within each pay Grade. Grades A and B have 3 steps and Grades C – K have 5 steps.

**Career progression scheme** – career progression arrangements exist within some departments whereby staff may progress to a higher graded role on meeting specific criteria. When an employee moves to a higher grade, this is classed as a promotion.

**Secondment** – when a member of staff is engaged in alternative duties for a specific period of time. Secondments may be in the same or different team, department, location, grade or role profile. Secondments may take place on a 100% basis, or for a percentage of the employee’s normal working hours (a part-secondment).

**Pay advance** – a payment made outside of the normal monthly payment cycle.

What the law says

The majority of workers aged 16 and over qualify to receive the National Minimum Wage for their age or for Apprentices (National Minimum Wage Act 1998). The OPCC ensures that all staff are paid at or above the National Minimum Wage.

Under the **Equality Act 2010** a woman has the right to be paid the same as a man (and vice-versa) for:

- like work, or
- work rated as equivalent by analytical job evaluation study, or
- work of equal value.
Pay under the **Equal Pay Act** includes all contractual entitlements.

Under the **Employment Rights Act 1996** [Part II, Section 14(1)] an employer is not entitled to deduct sums from wages due to an employee without his or her consent. There is, however, a specific exemption for deductions to recover any:
- overpayment of wages
- overpayment in respect of expenses incurred by the worker in carrying out his or her employment, made (for any reason) by the employer to the worker

### Exceptions
The following are not included within this policy:
- reimbursement of expenses including relocation assistance
- provisions for travel assistance relating to a change of workbase

All salary payments made must be in accordance with this policy, unless specific exceptions are authorised by the Chief Executive.

### Payment of salaries
All staff will be paid monthly. All payments will be made directly into a bank or building society account by credit transfer 2 weeks in arrears and two weeks in advance on or around the 15th day of each month.

Staff must maintain a suitable bank account or building society account into which payments can be made and staff must provide the OPCC with the current details.

### Grades
There are 11 grades (A to K) in the pay framework. Each employee will be on one of the 11 grades based on the job evaluation of their role. All employees can progress to the salary range maximum subject to assessment of their performance in the appraisal process.

The Chief Executive is paid on a ‘spot salary’ which has regard to the relative size and challenge of the role compared to the salaries of other Chief Executives in other similar sized organisations.

### Annual review of salary ranges
The annual review of salary ranges for all grades will be decided by the Chief Executive and the Commissioner, with regard to the outcome of the Nationally determined pay awards. The outcome will be implemented with effective from 1 April of each year.
Progression of salaries within the salary range

Employee performance and contribution during the course of the year will be reviewed within the appraisal process and provides the basis for the setting of targets on an annual basis and review of the employees achievement against those targets. Following assessment of the employee’s performance and achievement against targets the reviewing manager will recommend a rating for each employee. This rating will be subject to consistency checks and once finalised will be taken into account in determining any salary progression within the salary range or no progression as follows:

**Exceptional Performance** – this will normally result in progression of one step within the salary range. An employee will also normally receive a one off payment of 3% of base salary, or in exceptional circumstances, accelerated progression within the limit of the salary range.

**Achieved Expectations** – this will normally result in progression of one step up to the salary range maximum.

**Improvement Required** – there is normally no step progression for anyone who receives this rating. If an Improvement required rating is anticipated, an employee should be aware of areas where performance is in question from reviews within the appraisal process throughout the year.

Step progression is only available in connection with the outcome of the appraisal process. Very exceptionally, if any salary adjustments become necessary outside of the appraisal process this must be authorised by the Chief Executive.

Any salary changes following assessment under the appraisal process will be effected from 1 April each year.

Governance arrangements

Payments must be authorised in accordance with the arrangements stated in the Employment in the Office of the Police and Crime Commissioner Agreement.

New appointments to the OPCC

The advertised salary for roles within the OPCC will be within the salary range of the evaluated grade for the role.

New employees will normally be appointed to the first step of the salary range. A higher salary may be considered by the recruiting manager within the salary range of the evaluated grade for the role providing the candidate has a level of skills and experience...
consistent with that of other employees in a similar position on the salary range and approval is gained from the Chief Executive.

Employees who join the OPCC between January and March will not receive step progression in April of that year but will receive the value of any pay award. Performance will be assessed for progression in April of the following year.

**Promotion of existing employees**

Promotion is defined as any increase in grade, including appointment to a higher graded role following recruitment and when an employee has progressed to a higher graded role as part of a recognised career progression scheme.

On promotion to a higher grade an employee will normally be appointed to the lowest step on the range for that grade. The employee will receive the grade related benefits for their new higher role and any relevant annual leave entitlement.

Employees who are promoted between January and March will not receive step progression in April of that year but will receive the value of any pay award. Performance will be assessed for progression in April of the following year.

**Transfers to a role at the same grade**

When an employee is asked to permanently undertake a different role on the same grade as their own role, or applies for and is accepted for another role on the same grade, there will be no change to grade or grade related benefits such as annual leave. Salary (basic pay) will normally remain unchanged.

From the date of transfer, the employee will receive any additional payments relevant to the new role, e.g. a market supplement, and those relating to the former role will be withdrawn.

**Transfers to a role at a lower grade**

When an employee requests or applies for a permanent role at a lower grade they will be required to accept the terms and conditions, including pay and grading arrangements that accompany that role and any grade related entitlements such as annual leave. Salary protection arrangements will not apply.

If the transfer is as a result of redeployment within the criteria of the OPCC’s redundancy policy or on grounds of medical capability then ‘salary protection’ arrangements will apply. Salary protection arrangements do not apply in any other circumstances.
Transfer from other Local Government Employers

When an employee transfers to OPCC, in circumstances not due to a TUPE transfer, they will be required to accept the grade, salary and grade related benefits for the relevant role.

Additional duties/ responsibilities

When an employee is asked to undertake additional duties at the same level within their current role, there will be no change to grade or basic pay. The manager is responsible for and must review whether this can reasonably be accommodated within the available working hours. If this is not the case a number of options are available to the line manager, e.g.;

- providing additional support to enable the workload to be managed
- time off in lieu or overtime payments (if applicable)
- consideration of a one off payment under the ‘Special Recognition Scheme’

Secondments at the same grade

An employee can be asked temporarily to undertake different duties at the same grade or apply to undertake a temporary role of the same grade on a short-term basis (normally for a period of two years or less). This is classed as a secondment and in these circumstances there will be no change to grade, basic salary or grade related benefits, such as annual leave. Any additional payments/allowances relating to the secondment role will be paid for the period of the secondment and those relating to their former substantive role will cease.

Secondments at a lower grade

Circumstances may arise where key skills are required by management for an employee to cover a key area for a defined period and which may result in an employee being asked to fulfil a role at a lower grade for that period, e.g. to ensure knowledge transfer. In such circumstances the basic pay of the employee will continue at the current rate and the employee would retain any grade related benefits, such as annual leave. It is expected that secondments of this nature would not normally extend beyond 9-12 months.

Secondments at a higher grade

Where an employee undertakes duties of a higher grade for a temporary period of at least one month they will receive the pay associated with the higher graded role, normally the first step of the salary range.

Where the employee undertakes the secondment for a percentage of their normal working hours (a ‘part-secondment’), this will be paid as a ‘Secondment allowance’. The payment will normally be the difference between the employee’s current salary
and the first step on the range for the higher graded role, based on the proportion of time the employee is undertaking the higher level duties.

Any additional payments relevant to the new role, such as a market supplement, will be paid to the employee and any relating to their substantive role will be withdrawn. For part-secondments, payments will be pro-rated as appropriate.

All grade related terms, such as annual leave and notice periods, will be in accordance with the secondment grade for the duration of the secondment. Annual leave entitlement will be applied appropriately for the secondment grade, either on a 100% basis or, in the case of a part-secondment, pro-rated in accordance with the working hours of the secondment.

Employees who commence secondments between January and March will not receive step progression in the new role in April of that year. The value of any pay award will be applied.

Market supplements

For some roles there may be specific pressures in attracting and retaining staff and where appropriate, the OPCC will give consideration to market supplements, taking account of published market pay and turnover data and other evidence supporting the business case.

Market supplements must be authorised by the Chief Executive.

Market supplements are temporary payments and subject to ongoing review by the Chief Executive. Appropriate notice will be given where a market supplement is to be decreased or withdrawn.

Special recognition scheme

Managers may award a one-off ‘Special Recognition Scheme’ payment to a member of staff or a team to recognise a particular piece of work or a substantial effort above what is expected as part of their ordinary day-to-day work, subject to approval in line with departmental governance arrangements.

An award may be up to 10% of the employee’s basic salary. Any payment above this amount must have Chief Executive approval.

Salary protection

Salary protection will be applied when an employee is redeployed to a role at a lower grade:
• as a result of redundancy or
• where they are no longer able on grounds of medical capability to carry out the requirement of their role.

The amount of salary protection will be the difference between the top of the salary range of the role they are appointed to and either:
• their existing basic salary, or
• the salary range maximum of one grade above the new grade appointed to, if this is lower than their existing salary

No additional allowances or payments relating to the former role (such as enhancements for weekend or night working) are taken into account when calculating salary protection.

Salary protection will apply only to the contractual hours of the former role.

Salary protection will commence on the date the employee transfers to the redeployed post and will be paid for a period of up to 2 years.

During the salary protection period:
• the employee’s salary will be frozen and the employee will not receive the value of any pay awards or step progression.
• payment of any allowances or additional payments relating to the former role (e.g. a market supplement) will cease if not applicable to the new role and any additional payment relating to the new role will commence.
• the employee’s existing annual leave entitlement will be protected for 2 years, after which staff will move to the annual leave entitlement for the grade of the redeployed role.

Salary ranges are increased by the value of any pay award, resulting in an increase to the salary range maximum of the redeployed role. As a result of this increase, the frozen salary may fall within the salary range of the redeployed role during the protection period. Where this occurs, salary protection will cease and the employee’s salary will be at the salary range maximum of the redeployed role.

At the end of the salary protection period the employees pay will reduce to the salary range maximum of the redeployed post if it has not already reached this during the protection period.
It is part of the employee’s responsibility to check that salary protection is correct and to raise any queries with the Integrated Business Centre (IBC) where it is believed to be incorrect.

If the employee transfers into a redeployed post between 1 January and 31 March inclusive, the employee will receive any pay award and be eligible for step progression, if applicable, on 1 April in the first year of their redeployment.

Detailed information regarding specific circumstances is provided in the Salary Policy How to guide.

**Weekend working and night working**

Weekend and night working payments will only be paid to:

- staff up to and including Grade F
- staff employed in business critical areas
- where staff are contractually required to participate in a regular and frequent overtime

All overtime must have prior authorisation from management.

Weekend and night working payments will only be paid to employees in roles which have been approved as meeting the above criteria.

Where employee’s are entitled to receive an enhanced rate of pay, only ONE entitlement will be paid, namely weekend enhancement or night working, for the same hours worked.

**Overtime payments**

When an employee, up to and including grade F, is asked to work beyond 37 hours under one single contract of employment the additional hours will be classified as overtime and the appropriate payment will be paid as defined in the table below.

Where an employee, who is contracted to work less than 37 hours per week, is asked to work additional hours such that the total remains less than 37 hours per week, there is no entitlement to overtime payments. Additional hours are paid as defined in the table below.

Overtime working must be agreed by the appropriate manager in advance of the time being worked.
Any employees who are directed to work additional hours by management due to a business need will be eligible for overtime.

To reduce the number of hours worked by staff beyond their contracted time, all overtime working will be kept to the minimum necessary to ensure operational effectiveness.

Employees will have the flexibility to either be paid overtime or to take time off in lieu if this has been authorised and agreed in advance by management.

Flexi-hours cannot normally be converted into overtime hours.

Overtime may also be paid to staff graded above Grade F in the following circumstances:

- where it is a critical business requirement that an essential service is delivered out of office hours (for example, maintenance of IT systems, responding emergencies)
- where it is a contractual requirement by the nature of the role for its responsibilities to regularly be undertaken outside of the normal range of working hours
- at least ten hours must be worked on the task before payment or time in lieu by agreement between manager and employee is due. A planned task would not necessarily lead to consecutive hours worked but could be a specific task requested by the line manager which is carried out over a number of agreed sessions of overtime e.g. 4 hours, 4 hours, 2 hours. Payment or time in lieu will not be made for overtime of less than ten hours.

Overtime will only be paid to employees in roles which have been approved as meeting the above criteria.

Overtime rates will not be paid in conjunction with night or weekend working payments for any grade of employee. Only the higher rate of the two can be claimed.

Overtime rates of pay will be based on paid working weeks. The working week, for overtime purposes, runs from midnight Saturday morning to midnight the following Saturday.

For the purposes of overtime payments, a single contract of employment is covered by each Statement of Employment Particulars.
Rates of pay for weekend working, night working and overtime

For those staff that may be asked or required to work weekends, nights and/or overtime but have not been asked to vary their contract of employment, the manager and the employee will need to discuss the arrangements on the basis of the current rates.

Managers should follow the procedure set out in the How to guide – Salary Policy.

The rates for weekend working, night working and overtime payments are set out in the table below.

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There are 8 Public Holidays: Good Friday, Easter Monday, Early May Bank Holiday, Late May Bank Holiday, August Bank Holiday, Christmas Day, Boxing Day, New Years Day. Where a public holiday falls on a Saturday or Sunday then the OPCC will normally designate the next one or the following day as the designated “public holiday”.

Designated first aider allowance

An allowance of £120 per year will be paid to an employee who holds a qualification approved by the HSE and is designated as a first aider by their manager to provide first aid to staff and others at their work base as necessary. They may also take delegated responsibility for checking and maintenance of first aid resources (medical box, information, updating of local procedures).

Payment of the allowance will cease at the expiry of the qualification.

Deductions from pay and Leavers

If an employee takes out a loan, the amount will be recovered as a monthly deduction from pay on receipt of the employee’s approval of the credit agreement.
The OPCC may deduct from any final pay all monies owing to it from the departing employee. This includes (but is not limited to):
- outstanding loans;
- pay advances;
- overpayments; and
- holiday taken but not yet accrued.

If the employee’s final pay is insufficient to cover the sums owed, the employee will enter into a contract with the OPCC for the repayment of all sums owed. If the employee refuses to do this, or defaults on any repayment agreement, the OPCC may bring a civil claim against the employee to recover the monies (as a debt) and its costs of doing so.

**Overpayments**

The OPCC will endeavour to recover all overpayments.

Repayment shall be sought in full where the overpayment:
- is the result of incorrect information submitted by the employee or
- the error was known to the employee or was apparent from information supplied to the employee or
- the amount of overpayment was such that an employee would have suspected an error had occurred.

Repayment may be made in instalments over a period of up to 12 months, or the period equivalent to that during which the error occurred, whichever is longer.

‘Write-offs’ will only be considered as a last resort and any decision to write off overpayments, or a proportion of an overpayment must be made in accordance with departmental approval processes outlined in the scheme of delegation.

**Pay advances**

A pay advance may be appropriate when an error in the business process has occurred or when an employee’s pay frequency has changed.

Pay advances will not be made available as a result of other financial difficulties an employee may be encountering. In such circumstances employees must seek advice from an appropriate source, for example bank/building society.

A pay advance will be issued in the following circumstances:
- a new employee who commenced their employment on or
before the 1st of the month and their salary was not credited to their account on pay day (this excludes casual workers who are paid one month in arrears)

- an existing employee received less than 85% of their total gross pay due on pay day

Recovery of pay advances will usually be made from the next salary payment.

**Related documents**

To help with the application of this policy it may be useful to read the following:

- How to Guide – Salary Policy
- Employment in the OPCC Terms and Conditions Document
- Expenses Policy
- Secondment Policy

**Support**

**Employees:**
Queries should be directed to your line manager.

**Managers:**
Further information is available in the Managers’ How To Guide - Salary Policy.

Advice on remaining queries can be directed to the HR Strategic Change and Implementation Team.

**Policy Governance**

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Employees of non Office of the Police and Crime Commissioner customers are excluded from this policy and should refer to their own employers policies and procedures.