

The only time that this will be necessary is for Ambulance Trusts – who are moving from unsocial hrs to a fixed percentage payment, or when pay is reduced and needs protecting.

1. Basic Pay

Para 45.12 - Where basic pay before assimilation falls between the min and max of the new pay band, staff will assimilate onto the next equal or higher pay point in the new band.

Basic pay is based on an employee's average full time equivalent salary prior to the assimilation date i.e. July – September 04.

I.E. Full time pay July – Sept 04 multiplied by 4 to give a full years salary (method A).

Re Para 46.20 - If during the ref period, the EE has an increment, which would necessitate protection, the protected amount should be adjusted as if the increment (or pay award) had applied throughout the reference period (Method B).

Staff should be assimilated using method A, unless the following situation occurs, in which case, method B should be used –

E.G.

An EE on grade E - £20220 had an incremental on 30.09.04 + went to £21110. EE has been matched to Band 5.

Full time equivalent average pay

July	=	1685.00		
Aug	=	1685.00		
Sept	=	1687.47		
	=	5057.47	x 4	= £20229.88

The next point on band 5 above the ave. of £20229.88 is £20458.

However, if assimilated to £20458, the EE would require protection because the increment awarded on 30.09.04 took the annual salary to £21110.00.

Therefore under para. 46.20 the increment is applied as if it effective throughout the reference period, giving an ave. salary of £21110.00. The EE is then assimilated to the next point on band 5 = £ 21630.

Using Transitional Points

Para 46.12 + local agreement.

Having found the reference period Pay, (using method A or B above), care should be taken on assimilation. If basic pay + 10% (as agreed locally) still falls below the minimum point of the scale, transitional points should be used, with the EE being assimilated onto the transitional point above the reference period pay + 10% + consideration given to the EE's normal retirement age (para. 46.17) for protection arrangements.

E.g.
 Ref period pay = £18647
 Matched to band 6 – range = £21630 – 29302 min – max.
 = £18913, 19819, 20778 = trannie points
 £18647 x 110% = £20511.70

Therefore assimilate to £20778.

Basic pay continued –

Has the employee has incremental progression under Whitley since 01.10.04 ?

An employee, not yet assimilated and therefore still on Whitley payscales may have had an increment since 01.10.04.

On assimilation, the pre agenda for change pay is calculated using either method A or B above to establish the relevant point of the scale that the EE transfers onto.

If an increment has been awarded between 01.10.04 and the date of physical assimilation, then the EE should be moved up onto the next point of the AfC salary scale on the incremental date.

EXAMPLE

An A&C grade 2 officer on the min+1 salary point in July – September 2004 with an incremental date of 01.12.04 is not physically assimilated to Band 2 until March 2005.

The average annual salary = £11419
 Therefore assimilated to = £11508 on band 2

The EE has however had an increment on 01.12.04 and their salary under Whitley increased to £11786.

However the EE is entitled to the increment on their AfC pay band and will move from 11508 to £11827 wef 01.12.04.

Arrears are calculated as follows –

01.10.04 – 30.11.04

AfC salary = 11508
 Less grade 2 salary = 11419 = £89 x 2/12 months

01.12.04 – 28.02.05

New AfC salary = 11827
 Less new Whitley salary = 11786 = £41 x 3/12 months

NB. Where SINCE 01.10.04 the incrementally increased AfC salary does not exceed the incrementally increased Whitley salary, it has been agreed locally that protection should be applied on a Marked Time Basis.

EXAMPLE

An EE on grade E - £20220 had an incremental on 01.12.04 + went to £21110. EE has been matched to Band 5 in February 05.

Ave annual salary	=	£20220
Next point above Whitley pay on band 5	=	£20458
Increment 01.12.04		
AfC pay increases to	=	£21044.
However, Whitley sal. increased to	=	£21110.

In this instance, pay will need to be protected, based on all components of pay prior to assimilation including enhanced to produce a monthly pay protection figure. This figure will be payable on a MTB i.e. until pay catches up via inc, PA, or extinguishes in 2011.

Other pay elements (I – vi in the table on page 1)

Local agreement reached to use the 3 months prior to the physical assimilation of pay to assess “other pay elements”. –

EXAMPLE

Notification provided to payroll in March 2005. Assimilate using pay July – Sept 04 for basic and “other pay elements” (e.g.) on call worked December 2004 – February 2005.

Leads & Allowances

Where leads & Allowances are payable these are added to basic pay prior assimilation to determine to point on the new scale.

E.g.

An EE on grade E - £20220 with psych lead matched to Band 5.

Basic pay	=	£20220
Psych lead	=	<u>£ 600</u>
Reference pay	=	£20820
AfC salary	=	£21630.

London Weighting

As above. May apply to SSHCT who have contracts in London.

Bonus

As above.

Other leads & allowances

E.G student training allowances. As above.

Where payments are made irregularly, ave. taken over 12 months + not 3.

On Calls

Locally, any staff in receipt of on-call allowances have not yet been assimilated. This is because Payroll needs to be clear on whether old arrangements are retained or new arrangements are to be used.

Assimilation Problems Encountered To Date and Recommendations for dealing with them.

1. Acting payments made since 01.10.04 under Whitley

There have been instances where an employee is in receipt of an acting allowance under Whitley, and on assimilation, both posts have been matched to the same band.

EXAMPLE

A&C Grade 3 acting to Grade 4. Both posts have been assimilated to Band 3.

Recommendation.

When results are received for staff who are acting, Payroll staff should chase for results of both posts (the substantive and acting post). Only when both have been received should the employee be assimilated.

If both posts are matched to the same band, assimilate from the substantive post. Stop paying the acting allowance, and do not recover acting paid back to 01.10.04. When calculating arrears, base the calculation on the difference between the substantive grade and the assimilated band.

2. Promotions under Whitley after 01.10.04, but before physical assimilation.

Staff not yet assimilated may have been promoted since 01.10.04 under Whitley T&Cs. When matching results are received for both posts, the results may be the same.

EXAMPLE

Grade D promoted to E after 01.10.04 but before being assimilated. Both posts later assimilated to band 5.

In this scenario, a staff member promoted under Whitley will receive an increase, and on assimilation be moved onto a higher point of the scale on their AfC pay band. Had they changed posts after being assimilated, then there would be no increase, resulting in a lower point of the scale on their AfC pay band.

Recommendation (from shared services project board.)

- a. Calculate assimilation Grade D – Band 5 for period from 01.10.04 up to the date of promotion to E.
- b. Using Whitley T&Cs calculate promotion from D to E at date of promotion.
- c. Using the new E salary, reassess point on band 5 and place further up the scale if necessary.
- d. Calculate arrears Band 5 less Grade D up to date of promotion
- e. Calculate arrears Band 5 (possibly higher point than above) less Grade E from date of promotion.

3. Ave enhanced during sick pay - Issue to be aware of.

A nurse who usually works say Sat, Sun, Mon, Tues, Wed, 37.5hrs/wk, on early shifts is off sick Mon – Wed.

Under the new T&Cs she has to be paid her ave. enhanced, based on the 3 mths. before going sick (para. 14.4).

This nurse would not normally attract an enh. payment for working earlys Mon - Wed. However, when sick she will receive an average of her enhanced + effectively be paid more for being off sick, than her colleague who turns in for work.

Bank holidays – exclude from ave. in line with the WTD payment.

4. Another issue to be aware of.

Two employees – A and B.

AT 01.10.04 A was on the max of grade F, B was on the penultimate point. Both received psych lead. On assimilation A is awarded a new incremental date, as A was on the max @ 01.10.04. B retains incremental date of 01.12.04 as B was not on the max @ 01.10.04.

Both are matched to Band 6. The next point on Band 6 above both the old Whitley salaries is £26106 (the point below is £25253). Therefore both are assimilated to £26106 wef 01.10.04.

See table below -

Because B retained the inc date, on 01.12.04 they rose to £26958 on pay band 6. Employee A will however, not be entitled to an increment until 01.10.05.

	EMPLOYEE A	EMPLOYEE B
At 01.10.04 – whitley pay	£25850	£25385
<u>Assimilated to Band 6 @ 01.10.04</u>	<u>£26106</u>	<u>£26106</u>
B retains inc + goes up 1 point on 01.12.04		£26958
A does not go up until 01.10.05	£26958	

Employee B will therefore continue to be awarded increments on pay band 6 before employee A despite the starting position being that A had more seniority.

5. Acting payments for odd shifts.

How should these be treated?

Recommendation – include in “other pay elements” on assimilation.

6. Leavers

Recommendation – that Payroll Services write out to notify ex EE that arrears are due.