

UNIVERSITY OF YORK

Staff Committee

FRAMEWORK COMMITTEE

REPORT ON THE PROPOSALS FOR THE
IMPLEMENTATION OF THE FRAMEWORK AGREEMENT

March 2006

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1. Introduction

1.1 Background to the Framework Agreement

The Framework Agreement was developed to address the concerns identified in the Dearing Report (1997)¹ and the subsequent Bett Report (1999)², which can be summarised very briefly as follows:

- Pay levels for higher education staff were found to be substantially below what was paid for comparable public and private sector roles.
- The unwieldy apparatus for determining pay and conditions within higher education were impeding the development of the sector.

The Bett Report recommended a reform of HE pay structures, to be underpinned by job evaluation.

The Joint Negotiating Committee for Higher Education Staff (JNCHES) was established in 2001 as the sole national negotiating body for pay and reward issues. JNCHES comprises the Universities and Colleges Employers' Association (UCEA) and the seven recognised HE trade unions. The Framework Agreement was negotiated through JNCHES by employers and unions in July 2003.

The main features of the Framework Agreement are as follows:

- A single 51 point pay spine
- Determination of new single grading structures at the level of the institution, based on institution-wide job evaluation
- Access to staff development and review for all staff
- Progression between grades on an equitable and transparent basis
- Progression within grades to offer equal opportunities for all staff in each particular grade, to reward experience and contribution, and to be operated with demonstrable fairness, transparency and objectivity
- Harmonisation of the length of the standard working week for all staff at the same grade level and with a defined working week
- Attraction and retention premia (market pay) may be provided where labour market conditions dictate.
- Action to foster equal opportunities and to ensure the delivery of equal pay for work of equal value
- Implementation by 1 August 2006.

The details of how the University intends to address the requirements of the Framework Agreement are set out within this report.

¹ The findings of the National Committee of Inquiry into Higher Education, chaired by Sir Ron Dearing, are available from <http://www.leeds.ac.uk/educol/ncihe/>

² A summary of recommendations of the Independent Review of Higher Education Pay and Conditions, chaired by Sir Michael Bett, is available from: <http://www.archive.official-documents.co.uk/document/irhec/irhec.htm>

In addition, the AUT and UCEA agreed a Memorandum of Understanding in March 2004 which commits HEIs to ensuring that the new pay arrangements do not cause detriment to the present pay progression expectations of academic and related staff.

The University has agreed to implement the Framework Agreement from 1 August 2006, with pay increases arising from green-circling backdated to 1 October 2005. It has also agreed to extend the 'no detriment' commitment in the Memorandum of Understanding to all staff (excluding Hourly Paid staff, to whom pay progression expectations do not apply).

1.2 University staff

The University currently employs around 3,000 staff and is one of York's largest employers. Staff at the University fall into six staff categories, as follows:

Staff Category	Female	Male	Total number of employees	Union representation
Academic	168	454	618	AUT
Administrative & Related	499	63	562	Unison Administrative
Administrative, Library, Computing & Other Related (ALCOR)	328	268	596	AUT
Hourly Paid	287	283	570	Unison Manual; Amicus AEEU
Research	268	285	553	AUT
Technical	74	121	195	Amicus MSF
TOTAL	1,624	1,474	3,094	
Total Percentage	52.5%	47.6%		

In terms of employment status (full time/part time), University staff are represented as follows:

Employment status	Staff number	Percentage of total staff population
Full time	2,041	66.0%
Part time	1,053	34.0%

1.3 Aims of Implementation

The overarching aim of the Framework Committee in implementing the Framework Agreement will be: 'to achieve change, where possible, on a cost-neutral basis, and where this can not be achieved, to ensure that all the changes it makes are affordable'.

The University has identified the following specific aims to be achieved in the course of implementation (the section of this report which addresses each of these aims is indicated in brackets):

	ISSUES TO BE ADDRESSED	IMPROVEMENTS SOUGHT
1	Different, out of date and/or unspecific methodologies for analysing roles according to staff groups	Single, up-to-date methodology for analysing roles, in which all parties have confidence (1.4.1)
2	Uncertainty about pay equity within and between staff groups	Reliable system for delivering equal pay for work of equal value (1.4.1; 2.1)
3	Multiple grading structures of differing lengths for different staff groups	One grading structure for all staff, with grades of sufficient length to allow development within grades and obviate the requirement for frequent regrading (2.1)
4	Varying opportunities for transition between grades	Appropriate and fair opportunities for transition between grades (4)
5	Expectation of annual regrading process for some staff groups	New 'as-needed' process for reviewing roles (for all but academic staff and research staff) (4.2)
6	Confusion between promotion and regrading	Clear and agreed distinction between promotion and regrading (4.1)
7	Intermittent schemes for rewarding exceptional contribution, not available to all staff	Rational and consistent systems for rewarding exceptional contribution, available to all staff (5)
8	Staff groups create unnecessary and inefficient barriers and hierarchies	Reconfigured job families, allowing more flexible movement between current roles (1.4.1)
9	Little facility to respond to market pressures	Rational and consistent market supplements in hard-to-recruit areas (6)
10	Different working weeks and holiday entitlements for different staff groups	Roughly cost-neutral harmonisation of working week and holidays. <i>Quid pro quo</i> for gainers and losers (3.1; 3.2)
11	Wide variety in other terms and conditions between staff groups	Roughly cost-neutral harmonisation of other terms and conditions as appropriate (3)
12	Lack of flexibility in hourly-paid staff contracts	Salary-based scheme, allowing for flexible working (3.7)
13	Multiple overtime and call-out arrangements	Rational and consistent service supplements (3.7)

In addition to the above aims, the University is also committed to a number of other HR developments, in parallel to the implementation of the Framework Agreement. These are as follows:

Model Statute

By the time the Framework Agreement is completed, the University aims to have addressed the special protection provided by the Model Statute for Academic, Research and Academic-Related staff in respect of redundancy, dismissal and grievance procedures. The other staff groups are not covered by the Model Statute, but are treated in accordance with employment law. The University must ensure that staff who are employed to teach and conduct research are guaranteed their freedom within the law to question and test received wisdom without placing themselves in jeopardy of losing their jobs or privileges. Staff who are not employed to teach and conduct research do not require special protection beyond that provided by employment law. Staff currently in post who do not teach or conduct research but who are currently covered by the Model Statute would continue to be covered by the Model Statute until such time as they are regraded or promoted.

Fixed-term contracts

Around 30% of University staff are currently on fixed-term contracts. As part of a Collective Agreement with the AUT, the University has adopted stricter criteria for initial fixed-term appointments than the law requires. It is also reviewing the cases of all staff on fixed term contracts and those Research staff who have been employed on successive fixed-term contracts for six years or more with a view to offering them permanent contracts where appropriate. The numbers of fixed-term contracts will be monitored by Staff Committee.

Maternity and sick pay

The University aims to move to a system whereby occupational maternity and occupational sick pay costs (for long-term sick leave of absence of over three months) are borne centrally, on the model of redundancy pay.

1.4 Methodology and Consultation**1.4.1 HERA methodology**

The University decided to use HERA (Higher Education Role Analysis) as the job evaluation scheme which would underpin the creation of the new grading structure. The use of an institution-wide job evaluation scheme is crucial to ensuring the delivery of equal pay for work of equal value, a key principle of the Framework Agreement.

HERA is an analytical job evaluation scheme, which was developed by ECC (Educational Competences Consortium) Ltd. in conjunction with a range of universities and colleges specifically for use in the HE sector. HERA involves scoring each role according to 14 elements or factors, which are as follows:

- Communication
- Team work and motivation

- Liaison and networking
- Service delivery
- Decision making processes and outcomes
- Planning and organising resources
- Initiative and problem solving
- Analysis and research
- Sensory and physical demands
- Work environment
- Pastoral care and welfare
- Team development
- Teaching and learning support
- Knowledge and experience

HERA produces a total points score which is used to assess the relative values of all the roles within an institution in a consistent and equitable manner. This score can be used to assign roles to appropriate grades or bands in a salary structure. York has involved a much larger percentage of staff in the HERA exercise than many other universities. It is anticipated that all HERA interviews and scoring will have been completed by the end of December 2005.

Further information on HERA is available from the University website:

<http://www.york.ac.uk/admin/persnl/framework/hera/intro.htm>

At present the staff of the University are divided into the categories listed in Section 1.2. These categories are differentiated by their pay and grading structures and by terms and conditions of employment. Movement between categories has often been difficult. Whatever historic justification there may have been for these staff categories has now ceased to apply. The existing staff categories have had a number of negative effects on effective and creative team-working. When the Framework Agreement has been implemented these differences will disappear, and new job families will be developed to enable career progression. A job family includes a number of roles which are engaged in broadly similar work at different levels. Each job family sets out a career path by identifying the criteria for advancing from one level within the family to the next or to a role within a different family. Job families will allow differences in career paths and development needs to be addressed in a positive and proactive manner without creating permanent divisions between staff. Work on developing job families will be undertaken with the trades unions in 2006. It is proposed that this further joint work should proceed on a partnership basis, echoing the approach that has characterised work on the Framework Agreement.

1.4.2 Working in Partnership

The Framework Agreement included an expectation that HE institutions and their recognised trades unions would work in partnership to achieve effective implementation of the Agreement. 'Partnership' was defined, within the Framework Agreement, to mean 'negotiating to reach agreement on a timely basis'.

The trades unions which are recognised by the University are:

- Amicus AEEU
- Amicus MSF
- AUT
- Unison Administrative
- Unison Manual

The Framework Committee, which was established in May 2004 to oversee the implementation of the Framework Agreement at the University of York, stated its commitment to partnership working between the University and the unions at its meeting of 10 January 2005 (M05/04(a)):

*'It was **agreed** that, for the University and the trades unions to work successfully in partnership on the implementation of the Framework Agreement, each party must repose trust and confidence in the other. For example, each party must feel assured that the other would not act to impose arrangements which would be fundamentally unacceptable to its interests. The Committee **agreed** to adopt this approach to its work.'*

The University and the unions also signed up to a joint overarching aim, *'to achieve change, where possible, on a cost-neutral basis, and where this can not be achieved, to ensure that all the changes it makes are affordable'*, as detailed in Section 1.2.

The Framework Committee contains equal representation from the trades unions and University management. Union representatives are also members of the five Framework subgroups which were set up to undertake work on key aspects of the Framework Agreement. The terms of reference and membership of the Framework Committee and its various subgroups are available from the following web pages:

<http://www.york.ac.uk/admin/persnl/committees/framework.htm>

http://www.york.ac.uk/admin/persnl/committees/frame_sub.htm

1.4.3 Communications Strategy

The Framework Committee established a Communications Working Party to oversee the communication of information relating to the implementation of the Framework Agreement, and to ensure that all University staff are kept aware of developments on a regular basis.

Methods for communicating information on the Framework Agreement to staff have included:

- A dedicated University website on the Framework Agreement, including Framework Frequently Asked Questions and a glossary of key terms³
- A Framework Agreement staff update, mailed to members of staff on an individual basis
- Articles in the University Magazine
- Staff briefing notes
- Presentations and briefing sessions

³ Available from: <http://www.york.ac.uk/admin/persnl/framework/index.htm>

The Communications Office and the Framework Communications Working Party have worked together to produce a Communications Strategy for the Framework Agreement.

1.4.4 Equality Proofing

Equal opportunities issues are central to the Framework Agreement, and must underpin its implementation.

Each sub-group is required to assess the work it undertakes in the light of equality principles and legislation, with advice from Personnel Managers. Guidance has been issued by UCEA and the Equality Challenge Unit on several aspects of the Framework Agreement. The University's Equal Opportunities Office will be asked to monitor the whole project.

2. The New Pay and Grading Structure

At present, the University has three different pay spines and seven different grading structures. Manual staff are paid on an hourly rate, and so do not benefit from incremental progression. In accordance with the Framework Agreement, it is intended to replace these various pay and grading systems with a single pay spine and single grading structure, which will apply to all on-scale employees of the University (excluding clinical academic staff, whose pay is determined with reference to the Doctors' and Dentists' Pay Review Body).

Professorial, Research Grade IV and ALCOR Grade 6 roles are not included in the new single grading structure because they are not a matter for collective bargaining. The professorial minimum will become £46,296.

2.1 New Single Grading Structure

The development of the grading structure has been overseen by the Grading Structure sub-group, which has set the context for the detailed work of the Grading Structure Technical Group, a specialist team of staff from Personnel, Finance and DFM. The Technical Group has developed a new grading structure, based on HERA scores obtained as of 6 January 2006 and using pay modelling software designed for this purpose. The work of the Technical Group was aided by advice from a consultant from Link HR (the proprietors of the pay modelling software), who was able to confirm that, in light of his work with other HEIs, the outcomes of the Technical Group's work represented best practice.

2.1.1 Aims

The aims which governed the development of the new grading structure were that it should:

- a) Deliver equal pay for work of equal value
- b) Be affordable and sustainable
- c) Minimise disruption for existing staff
- d) Accord with new age discrimination legislation (not more than six steps except with objective justification)
- e) Ensure no detriment to the progression expectations of current staff, as agreed in the Memorandum of Understanding.
- f) Enable more open and transparent salary progression through a single common pay spine.

In the course of its work, the Grading Structure Technical Group considered a number of options for the design of the new grading structure which were ruled out because they failed to meet one or more of the above criteria.

2.1.2 Design Principles for the New Grading Structure

The Framework Committee has endorsed the following principles⁴:

- a) *The University will not use the model grading structure included within Appendix C of the Framework Agreement.*
- b) *The number of HERA points within a grade on the new grading structure need not show a consistent range nor percentage growth rate across grades.*
- c) *There may be some overlap between grades on the new grading structure.*
- d) *It is defensible, in terms of the forthcoming age discrimination legislation, to include up to eight increments on a grade.*
- e) *The new grading structure will provide for salary and career progression to attract, retain and motivate staff, rewarding appropriately their knowledge, experience and contribution.*
- f) The new grading structure will apply to all staff covered by the remit of the JNCHES, except clinical academic staff.
- g) The new grading structure will have been developed in partnership with the University's recognised trades unions⁵, working to reach negotiated agreements on a timely basis.
- h) The new grading structure will link with the nationally determined pay spine in a clearly defined, rational and orderly manner.
- j) The new grading structure will support the achievement of equal pay for work of equal value, with the application of pay points to staff being transparent, consistent and fair.
- k) The allocation of staff to grades on the new grading structure will be based on the outcomes of HERA, which:
 - (i) will enable equitable, consistent and transparent judgements to be made about the relative value or size of jobs;
 - (ii) has applied institution-wide, covering all groups of staff;
 - (iii) reflects the JNCHES guidance on job evaluation/role analysis, which was updated in autumn 2003;
 - (iv) has been administered in consultation with the recognised unions;
 - (v) provides access to appropriate review procedures, in the event of disputes about grading outcomes.
- m) The new grading structure will apply common grading across all staff group, including where pay structures are expressed locally in terms of more than one job family or career pathway.
- n) The new grading structure will be appropriate to the objectives and culture of the University.
- o) The new grading structure will be designed with regard to the resources likely to be available to the institution.
- p) The new grading structure will be readily implementable over a sustained period.

⁴ Principles shown in *italics* have been developed specifically for the University of York by the Grading Structure Working Party and its Technical Group, apart from Principle (e) which originates from the Framework Agreement Appendix A, and which the Framework Committee has agreed should be particularly emphasised. Principles (e)-(r) originate from Appendix A of the Framework Agreement

⁵ AUT, Unison, Amicus MSF and Amicus AEEU.

- q) The new grading structure will be developed and introduced in consultation with those affected: managers, staff and their representatives.
- r) The new grading structure will be readily understandable to staff and clearly communicated to them.

2.1.3 Key features of the new single grading structure:

- a) The new structure contains eight grades.
- b) The maximum number of spine points within a grade is seven.
- c) The minimum number of spine points within a grade is three.
- d) The first two spine points on the national 51 point spine have not been used as part of Grade 1. The lowest salary on the new pay structure is therefore £11,703 (spine point 3) rather than £11,060 (spine point 1).
- e) Spine points have been omitted from grades as follows:
 - Spine point 25 (Grade 5)
 - Spine point 32 (Grade 6)
 - Spine point 35 (Grade 6)
 - Spine point 39 (Grade 7)
 - Spine point 42 (Grade 7)
 - Spine point 45 (Grade 8)

Spine points have been omitted from grades to allow the new grading structure to comply with the Memorandum of Understanding, which stipulates that there should be *no detriment* to the present pay progression expectations of staff as a result of the introduction of new pay structures. Where spine points have been removed from a grade, it has been agreed that the value attached to surrounding spine points should not be manipulated to reduce the effect of a 'double incremental leap'.

Additionally, a single spine point has been omitted from grades 2-8, between the Temporary Minimum Point (see (g) below) and the grade minimum. This will not affect the long term design of the grading structure however, as Temporary Minimum Points will expire during 2006/07.

- f) Contribution points have been positioned on grades as follows:
 - Grades 1 and 2: one contribution point
 - Grades 3, 4, 5, 6, 7 and 8: two contribution points
- g) Temporary Minimum Points have been used at the bottom of grades 2-8 to assist with reducing the degree of grade overlap. Existing staff will be assimilated to these spine points, but they are part of the transitional arrangements only and will not form part of the grade in the long term. New staff appointed after 1 August 2006 will not be appointed to the Temporary Minimum Point on the grade. Once there are no longer any staff employed on the Temporary Minimum spine point (as a result of incremental progression), it will be removed from the bottom of the grade. Temporary Minimum Points will therefore expire within the course of 2006/07.
- h) The degree of grade overlap in the proposed grading structure, as compared to the October 2005 provisional structure, has been greatly reduced. Once the Temporary Minimum Points have been phased out, there will be a maximum of two spine points grade overlap.

For details of red and green circling, see Sections 2.2.3 and 2.2.4 below. For costs, see Section 2.3 below.

The configuration of the new grading structure can be found within Appendix I.

2.1.4 Benefits of the New Pay and Grading Arrangements

The new pay and grading arrangements:

- a) Support the achievement of equal pay for work of equal value.
- b) Comply with the Memorandum of Understanding (See Section 2.2.2, below).
- c) Take into account the forthcoming age discrimination legislation in terms of the number of increments per grade.
- d) Are based on a robust and consistent system for evaluating jobs throughout the University, i.e. HERA (See Section 1.4.1, above).
- e) Provide a rational distribution of HERA points per grade.
- f) Provide rational, transparent and consistent progression opportunities for all staff. Hourly Paid staff will have access to annual incremental progression, in line with other University staff.
- g) Ensure minimum disruption to existing staff within the constraints of affordability.
- h) Will provide enhanced career progression through the development of job families (further work in this area is to be undertaken in the course of 2006).
- i) Provide more consistent opportunities for rewarding staff who are deemed to have contributed to the University at an exceptional level, through the allocation of contribution points on the top of all grades. All groups of staff will be eligible to participate in the contribution pay schemes outlined in Section 5, below.

APPENDIX I

2.2 Assimilation Without Detriment

2.2.1 Standard Assimilation

Standard assimilation occurs where the employee's current pay matches the pay range for their new grade, as determined by HERA. Under standard assimilation, the employee will be assimilated onto the new pay spine at the spine point equal to or immediately above their current pay.

It should be noted that some spine points on the new single pay spine are exactly equivalent to spine points on the current University pay spines. Staff who are currently employed on these spine points will assimilate across to the new pay spine with no change to their current salary, assuming that their current pay matches the pay range for their grade, and that no adjustment for 'No Detriment' is required.

2.2.2 No Detriment

The Memorandum of Understanding⁶ agreed by the AUT and UCEA addressed the AUT's concerns about detriment to pay progression expectations for academic and related staff in the HE sector as a result of the implementation of the Framework

⁶ The text of the Memorandum of Understanding is available from the UCEA website:
<http://www.ucea.ac.uk/index.aspx?ContentId=21&bc=PayModernisation&p=PayModernisation>

Agreement. The Memorandum of Understanding requires institutions to have regard to the following guiding principles:

- *that contribution thresholds in the pay scales for these staff should be set no lower than the present non-discretionary maxima for equivalent grades;*
- *that these staff will have a normal expectation of annual progression to the contribution threshold for their grade;*
- *that this incremental progression to the contribution threshold will take no longer than under current equivalent arrangements.*

At its meeting on 17 January 2005, the Grading Structure sub-group agreed that the following definition of 'no detriment' should apply to the new University grading structure:

Incremental progression to the financial equivalent of an individual's current grade maximum should take no longer within the new grading structure than it does under current equivalent arrangements.

As noted in Section 1.1 above, the University has agreed that the principle of 'no detriment' should be extended to all categories of staff (excluding Hourly Paid staff, to whom pay progression expectations do not apply).

2.2.3 Green Circling

'Green circling' will apply where the results of role analysis indicate that an individual's role should be placed in a grade, the lowest spine point of which is above the spine point which would otherwise apply on standard assimilation.

Green-circled staff will be assimilated to the appropriate point on the new pay spine (normally the lowest spine point of the higher grade) on 1 August 2006, with pay increases backdated to 1 October 2005.

The number of green-circled staff resulting from the new grading structure (as anticipated at this stage in the process) is currently estimated at around 220. A review of green-circled roles is currently being undertaken.

For further detail of the arrangements for green-circled staff, please see Appendix II, which contains the Policy on the Assimilation of Roles to the New Grading Structure.

APPENDIX II

2.2.4 Red Circling

'Red circling' will apply where the results of role analysis indicate that an individual's role should be placed in a grade, the uppermost spine point of which is below the spine point which would otherwise apply on standard assimilation.

The number of staff in red-circled roles resulting from the new grading structure is currently estimated at around 190. All cases of red and green circling will be carefully

reviewed on an individual basis by Personnel before letters to staff are sent out. It is extremely likely that the number of staff in red-circled roles quoted above will decrease as a result of closer investigation.

Details of the arrangements for red-circled staff, including pay protection and opportunities for development, are provided within Appendix II, the Policy on the Assimilation of Roles to the New Grading Structure.

A detailed process for the management of red circling cases is being developed by Personnel, in liaison with POD and Heads of Departments.

APPENDIX II

2.3 Costs

The costs associated with the implementation of the new grading structure are currently being calculated and will be available at the meeting of the Framework Committee to be held on 27 March 2006.

2.4 Requests for Post-implementation Review

On receiving the details of their new grade and salary, some members of staff may wish to request a review of the results of the HERA analysis for their role. This process will be known as Post-implementation Review. The grounds for requesting a Post-implementation Review will be as follows:

- (a) Change to the role since initial HERA analysis
- (b) Material error of process

Further details of the Post-implementation Review process, plus a draft sample request form, are included within Appendix III.

APPENDIX III

3. Harmonisation of Terms and Conditions

At present there is some variation between the terms and conditions of employment which apply to the various staff groups. The Harmonisation sub-group was asked to consider which terms and conditions were suitable for harmonisation, bearing in mind the requirements of the Framework Agreement in this area, and equal pay considerations.

3.1 Standard Working Week

The Framework Agreement recommended that HEIs *'harmonise the length of the standard working week for all staff with a defined working week – in particular resulting in a reduction in the nationally agreed hours for manual staff'*.

The current situation in terms of working hours for the various staff groups is summarised below:

Staff Group	Current working week
Academic	Notional (37.5 hours)
Research	Notional (37.5 hours)
ALCOR	37.5 hours
Technical	37 hours
Administrative & Related	36.5 hours
Hourly Paid	38 hours

The Framework Committee has approved a recommendation that the standard working week for all staff with a defined working week should be **37 hours**.

For further details of how the harmonisation of the standard working week will affect the current staff groups, and the costs involved, please see Appendix IV.

APPENDIX IV

3.2 Annual Leave Allowance

The Framework Committee agreed that the annual leave allowance should be harmonised for all staff, given that annual leave impinges on the overall pay package for staff.

The current situation in terms of annual leave allowances is summarised below:

Staff Group	Current annual leave allowance (including public holidays)	
Academic	38 days	
Research	38 days	
ALCOR	38 days	
Technical	<i>Grades D & below:</i> 34 days (on appointment) 35 days (after 5 years) 36 days (after 7 years) 37 days (after 12 years)	<i>Grades E-I:</i> 38 days (on appointment) 39 days (after 10 years)
Administrative & Related	34 days (on appointment) 35 days (after 5 years) 36 days (after 7 years) 37 days (after 12 years)	
Hourly Paid	34 days (on appointment) 35 days (after 5 years) 36 days (after 7 years) 37 days (after 12 years)	

The Framework Committee has approved a recommendation that the annual leave allowance for all staff should be harmonised at **38 days per year** (inclusive of 8 public holiday days).

For further detail of how the harmonisation of annual leave will affect the current staff groups, and the costs involved, please see Appendix IV.

APPENDIX IV

3.3 Flexitime

The Framework Committee has agreed the following principles for flexitime:

- a) The University is committed to the promotion of a healthy work-life balance for all its staff and welcomes the contribution that the use of flexitime working arrangements can make in this regard. Flexitime can also allow participants to work in more effective ways that will be of benefit to the university as well as themselves.
- b) Flexitime arrangements will be made available, as far as practicable, to all university staff (including both full-time and part-time employees). It is acknowledged, however, that;
 - (i) some may choose to retain their current working arrangements, rather than enter the flexitime scheme;
 - (ii) some may have to be excluded, owing to the nature of their duties, or because they receive payments to reflect different working arrangements. The decision on this matter lies with the Head of Department.
- c) If staff members are dissatisfied with a decision to withhold flexitime arrangement they can invoke the University's standard procedures in order to have this decision reviewed.
- d) The services provided by the Department must not be compromised to accommodate the flexitime scheme. Departments participating in a flexitime scheme shall be responsible for adapting it to fit their operational needs. Adaptations should accord with these principles and the published guidelines.
- e) Departments reserve the right to suspend flexitime for a set period to meet operational requirements. Advance notice will be given when this is to occur. Such suspensions could be set annually or may be ad hoc in nature.
- f) It is expected that staff will work and operate flexitime schemes within their departments in a fair and harmonious manner.

Points for guidance

1. Guidelines on flexitime for Administrative & Related and Technical staff groups were agreed by Council in 1996. These guidelines have been modified to reflect the enhanced scope of the scheme and should form the basis of any new scheme now being introduced (See Appendix V).

2. Heads of Department will be asked to submit a report to Staff Committee by October 2006, detailing how flexitime has been or will be introduced in their departments, and giving grounds for those cases in which it has been withheld. Briefings will be organised, where appropriate, to help with this process.
3. It is expected that flexitime will be fully implemented by departments, with pilots having taken place and any revisions made, by 1 August 2007.

APPENDIX V

3.4 Overtime

The Framework Committee has agreed the following principles for overtime:

- a) The University is committed to the promotion of a healthy work-life balance for all staff and accordingly the use of regular overtime working is to be discouraged as far as is practicable.
- b) Good management practice will be used to ensure that overtime working is kept to a minimum, by matching staffing levels to predicted workload, and by arranging appropriate rostering to meet the demands imposed, for example, by sickness absence and annual leave absence.
- c) It is acknowledged, however, that exceptional and unpredictable peaks in workload can from time to time arise. Managers will meet these by applying the most cost-effective solution that meets customer requirements. In addition to the use of overtime, solutions may include the deployment of permanent staff, or the use of trained casual staff, or of contractors.
- d) When overtime working is the appropriate solution, the agreement of staff will be sought when a request to work additional hours is made. Individual circumstances will be taken into account, but it is a reasonable expectation that staff will be prepared to offer some flexibility in this matter.
- e) Eligibility for premium overtime payments will be achieved when 37 hours, within an agreed defined period, have been worked.
- f) With one or two limited exceptions there is no contractual entitlement to overtime working and authorisation must be given in advance by management.
- g) Overtime payments and arrangements are harmonised for all staff within grades 1 to 5. Staff within grades 6-8 are not eligible for overtime payments. (To be confirmed when the final grading structure is agreed).

The Harmonisation Working Party recommended that, in agreeing the Overtime Principles, the overtime eligibility threshold covered in Principle (g) should be reviewed after a period of 2 years (following the implementation on 1 August 2006). This is to allow assessment of the impact of the variation in eligibility status.

The Harmonisation Working Party did not come to a decision on overtime premium rates. These will be part of the negotiations within the Hourly-Paid JNC, who will make recommendations in due course.

3.5 Pensions

There are currently two different pension schemes in operation at the University: USS (Universities Superannuation Scheme Limited) and the University of York Pension Fund. Eligibility for these schemes is currently determined by the staff group to which an employee belongs:

Pension scheme	Eligible staff
USS:	Academic, Research and ALCOR staff
University of York:	Administrative & Related, Technical and Manual staff

The University of York Pension Fund Trustees discussed the implications of the Framework Agreement for the Pension Fund at its meeting in December 2005, and have asked for a report on options from its actuaries. Staff in grades 6, 7 and 8 on the new grading structure will be eligible for membership of USS in future.

3.6 Sick Pay Provision

There are currently two levels of entitlement to sick pay for University staff. These are:

- (a) Hourly paid staff appointed after 1 August 1998:
 - In the first year of service: no payment for any period of sickness absence unless it is for a period of more than ten days and supported by a medical certificate, in which case two weeks full and two weeks half pay.
 - In the second year of service: four weeks full and four weeks half pay.
 - In the third year of service: six weeks full and six weeks half pay.
 - In the fourth year of service: eight weeks full and eight weeks half pay.
 - In the fifth year of service: ten weeks full and ten weeks half pay.
 - After completing five years service: twelve weeks full and twelve weeks half pay.
- (b) All other staff:
 - In the first three months of employment: two weeks full and two weeks half pay.
 - During the next nine months of employment: two months full and two months half pay.
 - In the second year and third year of service: four months full and four months half pay.
 - In the fourth and fifth year of service: six months full and four months half pay.

- After completing five years service: eight months full and four months half pay.

The Framework Committee has approved a recommendation that sick pay provision should be harmonised for all staff in accordance with the most generous level of provision currently provided (see 3.6 (b), above), with a review after three years. During the three year review period, data on sickness absence will be collected by grade to identify whether there are any significantly different patterns of sickness absence. If evidence emerges that there are significantly different patterns of sickness absence between different grades, the matter will need to be managed.

3.7 Remuneration by Monthly Salary Payments

At present the standard remuneration for the majority of University staff is through monthly salary payments. Work is being undertaken within the Hourly Paid Staff JNC to harmonise payment systems, so that all staff currently paid on an hourly basis will in future receive remuneration by monthly salary payments. Work on the implementation of an aggregated hours system, and revised working rosters, is also being undertaken within the JNC for specific groups of staff.

4. Progression Between Grades

Progression between roles currently takes various forms. Academic and Research staff are invited each year to apply for promotion, which is awarded on individual performance through procedures conducted by the Academic Promotions Committee and its Research Sub-Committee. Administrative and Related, ALCOR, and Technical staff are regraded through procedures conducted by three separate panels using different criteria. The regrading process was held in abeyance in 2005/6 because all roles are being reviewed using HERA. There is currently no regrading procedure for Manual staff.

4.1 Distinction between Promotions and Regrading

The Promotions and Regrading sub-group has defined the distinction between the processes of promotion and regrading as follows:

- *Promotion* is contingent on demonstrating a particular level of individual contribution. The process of promotion applies only to ART (Academic, Research and Teaching) staff.
- *Regrading* is contingent on demonstrating a change in the requirements of the role. The process of regrading is applicable to all University staff, except ART staff.

4.2 Role Review

As part of the process of redesigning the grading and reward systems for staff working at the University of York, trades union and management representatives have been working in partnership within the national Framework Agreement to revise the

procedures for what in the past has been called regrading. The aims are to build on the job evaluation scheme which is being used to inform the new grading system, to allow managers to plan work in the areas for which they are responsible, and to enable staff to have input to the process and to their own career development.

Since the new grading system is underpinned by a process of job evaluation using the HERA (Higher Education Role Analysis) scheme which uses the terms 'roles' and 'role holders' to evaluate the skills, experience, and competences involved in particular jobs, it makes sense to treat any assessment of changes after that evaluation as a review of these roles. Under the new system in which staff and unions have participated with management in job evaluation, the grade at which anyone is working will be underpinned by that evaluation and will contain some element of progression within it. However, in a context where the shape and needs of particular jobs in the university change quite frequently it is also important to build in the means to review roles regularly and recognise how those changes affect and are affected by staff.

In the past, staff for whom it was appropriate could put forward their case for the job they did to be regraded, which if accepted could in turn mean that their pay and grade could change. This meant that there often appeared to be an overlap between changes in the content of a particular job ('role' in HERA language) and the personal progression of the person doing that job ('role holder' in HERA language). When the new grading system is in place it will be possible to look at whether a role needs to be reassessed and at changes in a role holder's work as distinct issues. It is hoped that the procedures for Role Review, outlined in full in Appendix V, will provide greater clarity about career prospects for staff and the process of planning change.

APPENDIX VI

4.3 Promotions

Staff employed to undertake teaching and scholarship only are at present mostly on Other Related contracts and cannot apply for promotion to Senior Lecturer, although their job title may be 'Lecturer'. This anomalous situation will be addressed in 2006 by a group chaired by the Registrar and Secretary. The intention is that these staff will become part of the 'Academic, Research and Teaching' job family, and a promotions procedure for staff engaged in teaching and scholarship will be developed.

5. Contribution Pay

The Contribution and Market Pay sub-group was tasked with recommending means for rewarding the contribution of staff that would be suitable for the University. In doing so, the sub-group reviewed existing and previous schemes operated at the University, sampled contribution pay processes of other organisations both within and external to the sector, and took account of key requirements of the Framework Agreement.

5.1 Existing contribution pay schemes

Academic staff: Heads of Departments have been able to recommend exceptionally to Promotions Committee the award of accelerated increments within grades to outstanding Lecturers.

ALCOR staff: there have been previous (very occasional) ad-hoc opportunities to apply for merit-related additional increments as a result of targeted funds becoming available to the University.

Administrative & Related and Technical staff: staff could apply for service-related special increments as part of the Annual Grading Review process. They were awarded for outstanding merit, for taking on additional responsibilities within the grade or where a salary was unreasonably out of line.

Hourly Paid staff: DFM staff were eligible for a performance-related GEM cash award which could be applied for at any time.

It is apparent that the range of schemes lacks coherence and consistency. At a time when both equality and harmonisation are both leading the agenda, it no longer seems appropriate to maintain the diverse range of frequency, level of reward, eligibility criteria or awarding criteria that characterised the previous provisions for contribution pay.

5.2 Requirements of the Framework Agreement

The Framework Agreement identifies two types of contribution-related progression:

- (a) Accelerated progression, reflecting substantially greater than normal application of skill and experience.
- (b) Discretionary progression beyond the agreed contribution threshold.

Guidance provided by the Framework Agreement is extensive but, in summary, the key principles are:

- Processes should be fair, consistent and transparent; all staff should have an equal opportunity to receive contribution-related pay.
- Judgements should be based on objective evidence of greater than normal application of skill and experience, and should recognise teamwork where appropriate.
- Procedures should include monitoring processes to ensure consistency, equity and fairness. Monitoring should check the impact in relation to gender, race and disability.
- Systems should avoid costly, bureaucratic and excessive burdens on staff; efforts involved should be justified by the rewards.

Some elements of the Framework Agreement guidance did not sit comfortably with each other, and the group has therefore used its best judgement in developing a contribution pay scheme that meets both the key principles given above and the needs of the University.

5.3 'Rewarding Excellence' scheme

The scheme provides an annual opportunity for Heads of Department, line managers or individuals themselves to make a case – based on objective evidence - that their contribution has been exceptional and sustained, and has contributed to the success of the organisation to an extent beyond what would normally be expected.

- (a) All staff with a minimum of 12 months' service are eligible; that minimum being essential in order that evidence of the *sustained* nature of the contribution can be demonstrated.
- (b) Cases will be considered, in competition with each other, by an appropriately constituted or designated body.
- (c) Successful applicants will receive an additional increment which will then become that individual's new pay point. That may be within the incremental scale, or it may be above the normal maximum of that grade within allowed 'Contribution Points'.
- (d) The total amount available to fund the scheme will be identified at the commencement of the financial year and awards will be made within that limit.
- (e) In order that the process should be developmental applicants will be given limited feedback from the decision-making body in the form of one of a range of standard letters.
- (f) Monitoring of the scheme will be undertaken by Staff Committee to ensure broad equality of outcomes.

For full details of the scheme, see Appendix VI.

APPENDIX VII

5.4 'Making the Difference' scheme

The scheme provides departments with the opportunity to recognise the one-off or short-term contribution of their own staff and make awards of up to £250.

- (a) All staff with six months' service are eligible to be nominated for an award by a line manager, colleague, customer, or student or may nominate themselves.
- (b) Departments may themselves identify a suitable internal process for considering cases as long as that process is fair and transparent. At least two people should consider each case, neither of whom should be the nominator or nominee for that award.
- (c) The process is not a competitive one and applications may be submitted at any time. Departments may, however, identify annually a maximum cost and communicate how they intend to manage within it.
- (d) Equal Opportunities monitoring forms will be submitted from each applicant and resultant data will be scrutinised by Staff Committee. In addition, Departments will submit with their annual Performance Review report statistics of number and amount of awards by job family and grade.

For further detail of the 'Making the Difference' scheme, see Appendix VI.

APPENDIX VII

5.5 Further Action

The contribution pay schemes contained in Appendix VII represent the commencement of a process of procedural development that will require further thought and preparation. In particular, the Group has identified the need to:

- (a) Develop extensive guidance for applicants regarding the types of subjective evidence that should be submitted in support of applications to the 'Rewarding Excellence' scheme.
- (b) Communicate the details of the scheme to staff. It is essential that communication to staff addresses, in particular, ways to encourage applications from staff members who are traditionally reluctant to put themselves forward.
- (c) Develop training for managers. The system relies heavily (although not exclusively) on managers, from the commencement point of 'agreeing with individuals' role expectations appropriate to their grade' through the recognition of exceptional performance to the encouragement of successful and unsuccessful applicants.
- (d) Develop training for decision-makers, particularly regarding the equal opportunity aspects of the procedures.
- (e) Develop appropriate monitoring systems and reviews of the 'fitness for purpose' of the schemes in motivating and rewarding staff.

6. Market Pay

The Framework Committee has approved a policy and procedure for the use of market pay, which is appended to this report in Appendix VIII.

In relation to attraction and retention premia (market pay), the Framework Agreement states:

'Institutions may supplement pay rates for each grade, for some or all staff, where labour market conditions dictate. [...] Institutions should adopt appropriate policies and procedures with an emphasis on equity and transparency, as developed in partnership with their recognised trades unions'

Further guidance on the use of attraction and retention premia is included in Appendix E of the Framework Agreement.

APPENDIX VIII

7. Final Recommendation

The Framework Committee is asked to approve this report as an interim package, on the understanding that the complete package awaits further recommendations from the Hourly-Paid JNC relating to other terms and conditions, including payment for overtime, callout and shift premiums.

PROFESSOR FELICITY RIDDY
CHAIR OF THE FRAMEWORK COMMITTEE
March 2006
 FJR/HS