

Revised version of the Framework Agreement paper – 06 March version. This replaces the version dated 20 February 2007

Implementing the Framework Agreement

Revised version of the Framework Agreement paper – 20 February 2007 version. This replaces the version dated 6th September 2006

Implementing the Framework Agreement

Introduction

We are required to implement the national Framework Agreement of 2003 between the Universities and Colleges Employers Association (UCEA) and trade unions with effect from 1st August 2006. CMT agreed the following proposals, for subsequent consultation with our recognised trade unions. The paper addresses the practical consequences of different detailed implementations of the Framework and to ensure full understanding of the implications of the proposed changes in order to manage consequent budget and organisational changes.

The whole purpose of the Framework Agreement is to bring all staff groups into a single framework for pay and conditions of service and thereby eliminate inequitable practices. The Framework is not just about new pay rates. It is also about changing a number of working practices which could undermine the Framework's objectives. Much detailed work has been carried out on this with managers and recognised trade union colleagues and we have done costings regarding putting this new Framework into effect. What is proposed in this paper is therefore a single package of changes. CMT members will need to play a leading role in explaining and implementing these changes within their schools and services. CMT members and those negotiating on behalf of CMT made every effort to complete the process of assimilating staff to the new grading structure and to also implement the harmonised conditions of service as set out in the Framework Agreement paper as soon as possible after 1st August 2006, to be backdated until then when implemented.

A. JOB EVALUATION AND GRADE STRUCTURE

As a result of the 2003 national Framework Agreement, we have undertaken an institution-wide job evaluation scheme. In 2003 we agreed with our recognised trade unions we would use HERA. As part of the Framework Agreement it was agreed that all staff would transfer to a new 51-point pay spine and grading structure by 1 August 2006.

We currently employ 1839 staff who are paid on our academic (including hourly-paid lecturers), research, support and manual pay grades. Role profiles for most support staff have been completed and signed off by the role holders, their immediate managers and the CMT member concerned. This process has been completed for all areas except Student Services and an area of Corporate Marketing and the International Office, both of which are undergoing some restructuring. National role profiles for academic staff, modified to take account of UEL staff duties, have been completed. Academic staff will transfer to the nearest equivalent grade they are on currently, e.g. if someone is currently on a Senior Lecturer grade they will transfer to the Senior Lecturer grade in the new structure. There is no national role profile for an hourly-paid lecturer, so we have devised one locally.

Completed role profiles for support staff have been scored using HERA by panels composed of CMT members, trade union representatives and the HERA project team.

Presently a small number of staff are paid on non-UEL scales, e.g. some on the national Soulbury scale used by schools and local authorities. Others are paid on national NHS scales (our Clinical Psychologists). We have explored the possibility of assigning Soulbury scale and NHS graded staff to our new grading structure during the HERA project. However it was agreed at JSCNC that it would be very difficult to do so, because the NHS and Soulbury scales are higher with quite different incremental progression. The JSCNC agreed that these staff will therefore remain on the Soulbury and NHS scales.

The outcome of the HERA job evaluation of UEL roles is 30% of our support staff are 'green circled' (i.e. assigned to a higher salary point and therefore grade in the new structure than their current grade), 8% are 'red circled' (i.e. assigned to a lower salary point and therefore grade in the new structure than their current grade) and 62% are assigned to an equivalent grade to their current grade. In terms of total UEL staff, this would equate to 18% of staff being 'green circled', 4% being 'red circled' and 78% remaining unchanged. This would be a total cost to UEL of 4.2% of its current paybill in Year One. This would result, however, in a significant number of 'red circled' support staff being alienated from the outcome of the HERA process. This has been given careful consideration, in particular by considering alternatives to reduce the number of 'red circled' staff, balancing against the need to ensure we can operate within our operating budgets. We decided not to use Grades 1-2 and to divide Grade 6 into two new grades. This reduced the number of 'red circled' posts to 4% of UEL staff (10% of support staff) but increased the number of 'green circled' UEL staff at to 12% (34% of support staff). By eliminating Grades 1-2 from the model C grading structure we are ensuring that the threshold for our lowest paid staff is increased for the future. This may help us retain such staff as we approach the 2012 Olympics and the developments concentrated around Stratford.

In the new grading structure, six points have therefore been removed from the bottom, as the evaluation exercise has meant that there will not be anyone

paid at these spinal points. The top of the new structure has been extended to accommodate our current PO E and PO F grades by 7 points above the 51 shown on the National Pay Spine. These additional points will also accommodate our current Professors, who will be assimilated to the nearest equivalent incremental point on the additional pay spine points above point 51 (see draft Professorial Pay Review scheme).

Agreed: To implement the attached grading structure and grade boundaries, which are loosely based on Appendix C of the Framework Agreement .

B. PROGRESSION THROUGH A GRADE

(i) Normal incremental progression

Staff will normally progress through their current grade by annual progression up to the contribution threshold for their grade (i.e. the non-discretionary maximum). The Framework Agreement states 'Progression within each pay range will depend in part on an individual's length of service in the grade and in part on an assessment of their contribution; although staff will have a normal expectation of annual progression up to the contribution threshold for their grade, subject exceptionally to established procedures for dealing with performance problems.' This is set out in our revised 'Managing Staff Performance: Capability Procedures'.

Agreed: If a manager is not satisfied with the staff member's job performance, the manager will use our 'Managing Staff Performance: Capability Procedure' and this may result in the staff member receiving no salary progression for that year (although they will still receive the annual pay award). This represents an amendment to our 'Managing Staff Performance: Capability Procedures' in the form of a cross-referral to our conditions of service.

Proposed: All our staff will be assimilated to the new grading structure on 1st August 2006 and their annual incremental date (unless they are at the top of their grade) will be 1st August. Their first incremental date will therefore be on 1st August 2007. This will replace the current incremental date for support staff (unless they are at the top of their grade) of 1st April and the current incremental date of 1st September (unless they are the top of their grade) for academic staff. So for the period 1.4.07 to 31.7.07 support staff would have a 4-month period as a transitional arrangement and academic staff would have their September 2007 incremental date brought forward by one month.

(ii) Accelerated/discretionary increments

Under the terms of the Framework Agreement HEIs may give consideration to the possibility of making staff members eligible to receive one or more additional accelerated increments or one or more increments at the top of each grade (above the contribution threshold) [unless they have reached the maximum discretionary point of their scale]. This would be in addition to normal incremental progression and would be in recognition of exceptional performance of a staff member's duties.

We believe that such payments should not be made, as they can be divisive (e.g. if a staff member feels their hard work and commitment has been overlooked by a manager not recommending them for an extra increment, or where a staff member receives such a payment in year one, but does not in year 2). There is also the additional cost to UEL of using such payment methods. Using the discretionary points alone would cost UEL an additional £460k per annum for each of the first three years from 2006/7 (i.e. by Year 3 there will be an additional cumulative cost to UEL of £1.4m).

Agreed: That we do not use accelerated increments or discretionary increments and that discretionary points are not used in UEL.

(iii) Additional increment

Outside of the Framework Agreement, at UEL, staff who obtain a postgraduate teaching certificate whilst with us have received an additional salary increment wef 2003/4.

Agreed: This practice ceases to continue.

Some schools also award an extra increment to staff obtaining a PhD. There is a case for awarding an increment for that qualification to all academic and support staff, as currently only 200 out of 600 of our academic staff have a PhD and there is a strong strategic need to increase their number to support our Research Strategy. Consideration has been given as to whether staff should also receive an increment for obtaining a professional qualification of a chartered institute by examination. We note that it is not common in our sector for professional staff to receive such payments, as it is recognised that such qualifications in themselves materially aid the staff member's career progression

Agreed: Academic and support staff should not receive an additional increment for obtaining a PhD wef 1.8.2006

(iv) Staff Qualifications

It is important that we appoint new staff with the appropriate academic qualifications to enact our Vision. It is therefore proposed that any new appointment to Grade F in the new structure would require the appointee

normally to have a degree. Lecturers on Grade F would normally require a postgraduate qualification. Academic staff on Grade G and above would normally be required to have a PhD. Current staff could not normally be appointed to a higher graded vacancy unless they have attained the relevant qualification. To assist staff in their career development, SDRs would therefore include consideration of how the staff member will be assisted to help them achieve the qualification. We will consider the development of work-based learning routes.

The requirements in the above paragraph will not apply to roles which are regraded through HERA after 1.8.06 (please see Section C below).

Agreed: The new scales are linked to academic qualifications, as set out above.

(v) Responsibility allowance

It is established practice that if a staff member is required to undertake additional responsibilities covering the key duties of a higher graded post for more than a month to cover a job vacancy or covering a colleague's duties whilst on extended sick leave, he or she receives an allowance equivalent to the difference between their current salary and the appropriate point of the higher graded post. The responsibility allowance will be backdated to the beginning of the initial period when the additional responsibilities were undertaken.

Agreed: This practice should continue.

(vi) Market supplement

Our current grading policy is to advertise vacancies at the appropriate grade for that post's level of responsibility. In cases where an appointee to a post earns in excess of that grade, the Chair of the selection panel, in consultation with Personnel Services, may offer the appointee a market supplement.

UEL's Market Pay Policy details the criteria for receiving a market supplement or a supplement from HEFCE's Golden Hello Scheme. The market supplement will be reviewed in the light of current market pay evidence to determine if it is still appropriate to continue paying to a member of staff. If it is not continued, the supplement will be gradually phased out over 1 to 2 years. The market supplement is pensionable. This practice is essential if we are to remain competitive in the job market.

Agreed: This practice should continue, using our agreed revised Market Pay Policy. However, all staff currently receiving a market supplement will have the supplement reviewed before the assimilation of staff to the new pay structure, to ensure such payments are valid.

(vii) HEFCE's 'Golden Hello' scheme

We also currently implement HEFCE's 'Golden Hello' scheme, where teaching staff new to our sector may receive an introductory payment in certain disciplines, subject to the terms of HEFCE's scheme.

Agreed: This scheme should continue as long as HEFCE continues to fund it.

Overtime rates

Currently there is a standard overtime rate for full-time staff (time and a half during the week and on Saturdays and double-time on Sunday).

However, part-time staff currently have different rates depending on whether they are employed before or after 1.2.95. These rules are complicated and for that reason are consigned to Appendix B. It is proposed these differing arrangements are harmonised.

Agreed: Part-time support staff on Grades A to E would receive a flat rate for up to 35 hours and time and a half for hours in excess of 35 (where time off in lieu is managerially not possible). Additional hours worked on Saturdays, Sundays and Bank Holidays, regardless of how have been previously worked, will be treated as overtime and paid at time and half on Saturday, double time on Sunday and double time and a day off in lieu on Bank Holidays.

Agreed: A common denominator of 1/260th should be used for the calculation of an hourly rate. This denominator would be used for calculating overtime as well as e.g. deductions for unpaid leave or deductions for industrial action.

(ix) London Weighting

London Weighting is paid to academic staff (excluding Professors) and support staff. Staff on management grades have London Weighting consolidated into their spot salaries. The great majority of London universities continue to have a separate London Weighting. There is no intention to change that arrangement here.

Agreed: Current arrangements should remain unchanged, except that Professors will have a separate London Weighting payment which will be the same amount as other staff (rather than it being incorporated into a spot salary for Professors as currently).

(x) Other salary payments to staff

Agreed: Other than (i) to (ix), no other salary payments will be made to any staff without the prior approval of a PVC. On exceptional grounds payments will be made for particularly onerous responsibilities such as involvement in a large-scale project. This will only be paid rarely. Pay arrangements relating

to patents, inventions, copyright and consultancy are set out in other UEL policies and are not affected by this section.

This is to avoid inconsistent pay arrangements which could be unfair and unlawful.

C. PROGRESSING BETWEEN PAY GRADES

Agreed: Once all roles have been assigned to the new pay grading structure with effect from 1.8.06, we will implement a review procedure. If a manager or staff member believes that the staff member's responsibilities and competencies have increased sufficiently to warrant the up-grading of his or her role, he or she may apply to a panel at any time during the year, on an ad hoc basis. HERA will be used to determine the appropriate Grade, subject to UEL'S budget as determined by our Board of Governors. An application for the regrading of a role will only be considered once during a 12 month period.

D. HARMONISING CONDITIONS OF SERVICE

(i) General

All eligible staff now have the same maternity, paternity and adoptive leave, compassionate leave and dependents leave and opportunities for career breaks and flexible working, as mentioned in our Flexible Employment Policy.

(ii) Hours of Work

We have implemented our Framework Agreement obligation to harmonise the hours of work of all staff whose hours are specified in their current contracts of employment on 1 August 2005. As from 1st August all support staff work 35 hours per week, whereas previously catering and manual staff worked 39 hours per week. This does not apply to support staff on Grade F and above, managers or academic staff (except through the Academic Workload Allocation Model).

(iii) Annual Leave

(a) Annual leave entitlement

At present staff on management grades have 30 days' annual leave and academic staff receive 35 days per annum. Support staff receive 25 days [or 28 days after 5 years' service], except for Manual staff who have 23 days leave [or 28 days after 5 years' service].

Agreed: That Manual staff have the same annual leave as other support staff .

Proposed: That all support staff have 25 days' annual leave, rising to 30 days after 5 years' continuous service at UEL.

Currently the entitlement to 28 days after 5 years for support staff does not take effect until the following annual leave year. The age legislation coming into effect on 1 October 2006 gives exemption to the first 5 years of a financial benefit to staff only, so to comply with legislation it is proposed that instead that the 30 days' entitlement takes effect on the first of the month immediately following the 5 years' anniversary.

Agreed: That the entitlement of support staff to 30 days' annual leave takes effect on the first of the month following the 5 years' anniversary of the staff member working at UEL.

(b) **Annual leave year**

At present the annual leave year for academic staff and management grade staff runs from 1 September to 31 August. The leave year for support staff runs from 1 April to 31 March. There is no good reason for this anomaly continuing and so it is proposed that there would be one annual leave year for all UEL staff which would be from 1 September to 31 August. It is proposed that this would take effect from 1 September 2007.

Agreed: That all staff would have the same leave year from 1.9.07.

(iv) Staff pay dates

Currently academic staff and staff on management grades are normally paid on the last Thursday of a month, whilst support staff are paid mid-month. It would be equitable if all staff received their pay on the same date and it is proposed that this would be on the last Thursday of a month. This would ensure that all UEL staff are paid one month in arrears, rather than the present arrangement where academic staff are all paid in arrears and support staff two weeks in advance and two weeks in arrears.

Proposed: That all staff would normally be paid on the last Thursday of each month.

(v) Sick pay scheme

All staff should have the same sick pay scheme. CMT approved the harmonisation of the sick pay for support and academic staff, excluding catering staff. However, it is recognised that academic staff trade

unions have not agreed to the proposed same 'rolling year's' entitlement as support staff.

Proposed:

- (a) That catering staff have the same sick pay arrangements as other support staff.
- (b) That we proceed to harmonise the sick pay arrangements for academic and support staff. The current arrangements for the academic and support staff sick leave years are different. Support staff are on a 'rolling year' basis, whereas academic staff sick pay is based on a fixed 12-month period, commencing 1st April each year. If the lecturer is on sick leave on 1st April, then he/she does not benefit from the new year's entitlement until such time as he/she has returned to work, but will continue to use up the previous year's entitlement. The proposal is that academic and support staff sick leave would both be on a 'rolling year' basis.

(vi) Age Discrimination

A small number of staff are currently entitled to particular conditions of employment with regard to payments on movement of job location and in cases of protracted sickness absence. There is a concern that such treatments may be unlawful under new age discrimination legislation. Our recognised trades unions are reluctant to remove these special conditions of employment.

Agreed: As a way forward, we will wait and consider emerging case law on issues of age discrimination. If it becomes clear to the Director of Personnel Services that the case law suggests that such treatment is indeed unlawful, he or she will make a proposal to the JSCNC to rectify it.

(vii) Notice periods

Currently staff on management grades are required to give a minimum of three months' notice in writing if they resign from UEL's employment. Academic staff are required to give a minimum of two months' notice in writing before the end of December and April or three months' notice before the end of August. Support staff on Grade F and above are required to give a minimum of two months' notice and other support staff are required to give one month's notice.

Agreed: That all management grade, academic staff and support staff on Grade F and above are required to give a minimum of three months' notice in writing if they resign from UEL's employment. Other support staff will continue to be required to give one month's notice.

In accordance with UEL's Probation Policy, any member of staff, support or academic under probation will be required to give one month's notice.

Mike Moore
Director of Personnel Services
6 March 2007

As a representative of

I accept and agree to the changes to pay and conditions of service as detailed in this Framework Agreement paper.

Signed:

Date:.....

Current UEL Structure	Spine Point	From 1 August 2007	UEL Model	Grade Boundaries
	58	62,842		
	57	61,011		
	56	59,234		
	55	57,510		
	54	55,835		
	53	54,208		
PO (F)	52	52,629		
	51	51,095		
PO(E)	50	49,607		675
	49	48,161		
	48	46,758		
PO(D)	47	45,396		
	46	44,075		
	45	42,790		
	44	41,544		600
PO(C)	43	40,335		
	42	39,159		
	41	38,018		
PO(B)	40	36,911		
	39	35,836		
	38	34,814		525
	37	33,780		
PO(A)	36	32,795		
	35	31,839		
	34	30,913		
	33	30,011		450
	32	29,139		
Grade 4	31	28,289		
	30	27,466		
	29	26,666		
	28	25,889		
	27	25,135		350
	26	24,403		
	25	23,692		
	24	23,002		
Grade 3	23	22,332		
	22	21,682		250
	21	21,049		
	20	20,459		
	19	19,842		
	18	19,263		
	17	18,703		225
	16	18,165		
	15	17,651		
	14	17,153		
Grade 2	13	16,668		
	12	16,199		200
	11	15,743		
	10	15,300		
	9	14,869		
	8	14,462		
	7	14,069		

