

BRISTOL CITY COUNCIL

HUMAN RESOURCES COMMITTEE

For Resolution

8th July 2010

Report of: Strategic Director: Resources

Title: Youth and Community Workers - 2009 Pay Award

Officer Presenting Report: Robert Britton, Service Director:
Human Resources

Contact Telephone Number: 0117 92 22669

RECOMMENDATION

1. The HR Committee note the adoption of the national pay award for Youth and Community Workers, which provided a 1% increase on all salary points and allowances with effect from 1st September 2009.
2. That the HR committee rejects the adoption of the additional discretionary points at the top of the Professional Range (31 and 32) which it is now possible for the authority to award.

Summary.

Circular 172 From the National Negotiating Committee for Youth and Community Workers (JNC) has advised us of the national pay settlement for this group of employees. The national pay award settlement was agreed by the Joint Negotiating Committee for Youth and Community workers in February 2010 and has been implemented under delegated powers of the Head of Paid Service.

Circular 175 provided the opportunity for discretionary points to be awarded to those on the Youth and Community Workers terms and conditions in exceptional circumstances where particular posts merit the additional payments. However Bristol City Council does not currently pay any workers on these terms and conditions at the top of the existing pay scale, therefore

it is not proposed that we should make use of the additional discretionary points at this time.

The significant issues in the report are:

Consideration/non-approval of the discretionary provisions contained within the national award.

1. Policy

- 1.1 Staff on the Youth and Community Workers pay scale are subject to the National Agreements reached by the Joint Negotiating Committee for Youth and Community Workers (JNC).

2. Consultation

2.1 Internal

If Bristol City Council was to create any posts which had access to point 30 of the existing Youth and Community Workers pay scale, then we would consult at that stage as to whether or not the additional discretionary points 31 and 32 should also be used by the authority.

The trade unions have been advised that the Council is not proposing to apply the two additional discretionary points referred to in Circular 175 (attached) at the present time.

2.2 External

This report relates to the implementation of a national pay award and therefore external consultation is not appropriate.

3. Context

- 3.1 Bristol City Council does not currently employ anyone on point 30 of the existing salary scale for those on Youth and Community Workers terms and conditions. Instead the highest salary range used by this authority is the Senior Professional Range covering points 26 to 29. More senior employees working in this work area at Bristol City Council are paid on the "Green Book" terms and conditions, rather than employing them on the Youth and Community Workers terms and conditions at point 30.
- 3.2 The additional discretionary points can only be awarded in exceptional

circumstances where a particular post merits the additional payment. We do not have any posts in this category at Bristol City Council.

3.3 There are 38.8 Full-Time Equivalent (FTE) staff on the JNC Youth and Community Worker terms and conditions at Bristol City Council (plus 3.2 FTE posts which are externally funded). The salaries of these employees distributed as follows:

- Senior Youth & Community Workers: scp 26-29 = 13 staff (12.7 FTE)
- Senior Youth & Community Workers: scp 23-26 = 5 staff (5 FTE)
- Youth & Community Worker: scp 20-23 = 8 staff (6.1 FTE)
- Youth & Community Worker: scp 17-20 = 7 staff (5.6 FTE)
- Youth Support Worker: scp 14-17, = 4 staff (2.3 FTE)
- Youth Support Worker in Charge: scp 11-14 = 6 staff (2.7 FTE)
- Youth Support Worker: scp7-10 = 26 staff (7.6 FTE)

3.4 In addition to those on the JNC terms there are 39.4 FTE posts funded by Bristol City Council which are paid under the “Green Book” terms and conditions referred to above. An additional 6.8 FTE posts under the Green Book terms are externally funded.

4. Proposal

4.1 Given the current budgetary restraints on local authorities and the fact that no BCC employees on these terms and conditions can currently earn the highest point on the existing scale, it does not seem to be appropriate to introduce additional discretionary points at this time.

5. Other Options Considered

5.1 It would be possible to introduce the additional discretionary points, but as there are no posts available in the authority where employees could access the additional payments there would be no practical advantage to doing so.

6. Risk Assessment

6.1 The risk of not implementing the discretionary points is considered to be minimal, as senior managers at Bristol City Council are not paid under the Youth and Community Worker terms and conditions. Therefore those paid currently paid within this pay bracket would be unaffected by the adoption of the discretionary increments.

7. Equalities Impact Assessment

- 7.1 The adoption of a national pay award which has taken place under delegated authority of the Head of Paid Service is not something which requires an equalities impact assessment.

If Bristol City Council were to create any posts which had access to point 30 of the existing Youth and Community Workers pay scale, then we would consult at that stage as to whether or not the additional discretionary points 31 and 32 should also be used by the authority.

- 7.2 The decision in relation to additional discretionary increments would not in practice affect any employees of the authority so an equalities impact assessment has not been conducted in relation to this decision.

Legal and Resource Implications

Legal

There are no direct legal implications arising from this Report as it relates to the application of a National Pay Award. The payment of this award forms part of an affected employee's contract of employment."

Advice from Husinara Jones for Head of Legal Services

Financial

(a) Revenue:

The adoption of the national pay award for Youth and Community Workers, which provides a 1% increase on all salary points and allowances with effect from 1st September 2009, is consistent with other pay awards made in 2009. All BCC budgets contained an allowance for the 2009 award.

Advice from Stephen Skinner, Finance Business Partner Resources, Transformation and Deputy Chief Executive

(b) Capital:

Not applicable.

Land

Not applicable.

Personnel

See Paragraphs 3 - 6.

Appendices Appendix A: Implementation of the national pay award under HoPs delegated authority

Appendix B: Circular 175

**LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985
Background Papers:**

None

Bristol City Council
Head of Paid Service Personnel Delegations Form

SECTION A - To be completed by Department

Title of delegation: Approval of terms and conditions of service for employees in accordance with new employment legislation, EC directives, changes in national conditions of service and local agreements (Pay Policy Appendix A (1) (d) refers).

Subject: Implementation of JNC pay award for Youth and Community workers

Further information

The JNC has issued the attached circular outlining the agreed pay award for the 2009 pay settlement of Youth and Community workers. The agreed settlement was for an increase of 1.00%, which will be back dated to take effect from 1st September 2009.

Approval sought from HoPS:

1. Adoption of national pay award for all Youth and Community Workers as per attached spreadsheet.

2. Circular 175 regarding additional discretionary increments to be considered & a decision taken in due course.

Recommended by:



Name: Tom Wallen

Job Title: Pension & Pay Policy Officer

Signature:

Date: 04.05.2010

SECTION B - to be completed by Head of Paid Service

Decision (please tick one of these options)

(a) approved by HoPS

(b) not approved by HoPS

(c) refer to HR Committee

Reason

Authorised by

Name

Job title

Signature

Date:

to pay the 1% award
the element of the award
~~is~~ which covers the
possible award of discretionary
increments (either "yes"
or "no" should be reported
to HRC).

[Handwritten signature]

4th May 2010.

Please return to Tom Wallen, Corporate Development Team (HR), Room G69,
Romney House, Romney Avenue, Lockleaze, Bristol BS7 9 TB e mail:
tom.wallen@bristol.gov.uk

Pay Policy - APPENDIX A PAY AND BENEFITS - WHO ARE THE DECISION MAKERS?

1. Head of Paid Service functions delegated to Corporate HR

At officer level, the following functions are delegated to the Head of HR/Corporate HR:-

- a) approval of HR and H&S policies and procedures and the monitoring of their application
- b) Council wide pay and grading structure, (including job evaluation) for all employees except JNC 1st & 2nd tier (HR Committee responsibility)
- c) the application of the LGPS and TPS, including early retirement, the early release of pensions on compassionate grounds (for former employees) and "standing down" provisions
- d) approval of terms and conditions of service for employees in accordance with new employment legislation, EC directives, changes in national conditions of service and local agreements.
- e) approval of redundancies, and application of redeployment provisions
- f) application of TUPE in relation to the externalisation of services, or functions transferring into BCC
- g) approval of compensation in relation to such issues as the settlement of employment tribunal cases, and employee claims for compensation (e.g. settlement of a grievance). (*This delegation is exercised jointly with the Head of Legal Services*).
- h) recommendation of HR policies and procedures to governing bodies of locally managed schools
- i) referral of "collective disputes" regarding the above, to the HR Committee, where appropriate
- j) approval of the transfer of pension benefits from an employee's previous employer(s) into the LGPS/TPS and the approval of "standing down" applications.
- k) co-ordination of the Council's PMDS and Bristol Manager (Competence) scheme, and approval of incremental progression for 1st & 2nd tier - JNC employees.
- l) allocation of corporate trade union facility time.
- m) application of discretion to refer new/revised HR & H&S policies to the HR Committee, where it is considered necessary to do so.
- n) approval of the award of pay in lieu of notice, as a variation to the council's normal practice where employees work their notice.
- o) provision of occupational health and counselling services including acceptance of requests from employees for an "Employee Health Check" under the Council's self referral scheme.
- p) provision of advice at Member level appeals against dismissal.
- q) determining the pay rate of casual employees where these fall outside the council's core pay policy.
- r) approval of acting up allowances for periods exceeding 3 months.
- s) approval of market supplements for staff up to and including 3rd tier staff, in accordance with agreed criteria (1st and 2nd tier: HR Committee approval required)

2. Head of Paid Service functions delegated to service directors

At officer level, the following functions are delegated to individual Service Directors ('Chief Officers'):-

- a) appointment (except 1st and 2nd tier: Appointments Committee responsibility) and termination of employees.
- b) determination of salaries within agreed pay scales and recommendations to HR for pay of up to 4 increments above the grade, for a maximum period of 18 months.
- c) determination of structures and staffing levels, excluding those at 1st and 2nd tier (cabinet responsibility).
- d) application of HR & HS policies and procedures.
- e) consideration/determination of employee grievance and TU disputes (except those which relate to council wide issues).
- f) employee dismissal e.g. gross misconduct, incapability/performance, SOSR etc.
- g) approval of time off for departmental TU and safety reps.
- h) application of selection procedures for redundancy, and appeals arising from this process.
- i) approval and implementation of departmental training and employee development.
- j) approval of employee claims (e.g. subsistence and travel claims, relocation expenses, car/vehicle loans, etc.) in accordance with agreed criteria/policy delegations.
- k) application of sickness absence scheme, including referrals to Occupational Health and Counselling, and consideration of (discretionary) extension of sick pay.
- l) approval of the carryover of annual leave from one leave year to the next (normally not exceeding 5 days).
- m) withholding incremental progression on the grounds of poor performance.
- n) withholding "self certificated" sick pay where this has been notified to the employee as part of formal action under the Sick Pay Scheme.
- o) accelerating an employees salary within their grade on merit or performance grounds.
- p) revising the duties and responsibilities of posts, and submitting them to HR for further consideration under the JE scheme.
- q) approval of long service awards.
- r) approval of acting up allowances, for up to 3 months
- s) referral of employees to OH&C for medical and counselling.

(As reported to the Annual Council Meeting May 2006/updated 2007)

Joint Negotiating Committee for Youth and Community Workers

1 February 2010

To: Local Authorities in England and Wales
Members of the JNC for Youth and Community Workers
Members of NEOST

Dear Colleague

Joint Education Services Circular No. 172 Pay Settlement 2009

The Joint Negotiating Committee for Youth and Community Workers (JNC) is pleased to inform you that a settlement has been agreed as follows:

- An increase of 1% on all salary points and allowances with effect from 1 September 2009;
- An agreement to continue to press for key worker status for youth and community workers.

A revised salary scale is attached for your information.

Yours sincerely



Allison Wheeler
For Employers' Side Secretary



Doug Nicholls
Staff Side Secretary

Enc

Employers' Side Secretary: *Sarah Messenger*
Local Government House, Smith Square
London SW1P 3HZ
Tel: 020 7187 7373
Fax: 020 7664 3030

Staff Side Secretary: *Doug Nicholls*
c/o CYWU Unite, Transport House
211 Broad Street, Birmingham B15 1AY
Tel: 0121 643 6221
Fax: 0121 633 0184

JOINT NEGOTIATING COMMITTEE FOR YOUTH AND COMMUNITY WORKERS

JESC 172

Youth and Community Support Worker Range

Pay Points	w.e.f 1.9.09
1	14,143
2	14,733
3	15,324
4	15,917
5	16,509
6	17,100
7	17,697
8	18,291
9	19,047
10	19,636
11	20,591
12	21,525
13	22,489
14	23,485
15	24,166
16	24,875
17	25,574

Professional Range

Pay Points	w.e.f 1.9.09
11	20,591
12	21,525
13	22,489
14	23,485
15	24,166
16	24,875
17	25,574
18	26,279
19	26,975
20	27,673
21	28,461
22	29,352
23	30,219
24	31,091
25	31,968
26	32,847
27	33,726
28	34,613
29	35,496
30	36,377

LONDON AREA ALLOWANCES

w.e.f 1.9.09

Inner	2,891
Outer	1,898
Fringe	740

Joint Negotiating Committee for Youth and Community Workers

30 March 2010

To: Local Authorities in England and Wales
Members of the JNC for Youth and Community Workers
Members of NEOST
Subscribers

Dear Colleague

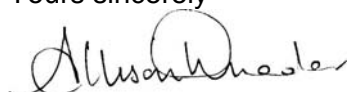
Joint Education Services Circular (JESC) No. 175 Professional Range Discretionary Points

The Joint Negotiating Committee for Youth and Community Workers has agreed to add two discretionary points to the top of the Professional Range with effect from 30 March 2010.

Full details of the new point 31 £36,971, point 32 £37,951 and the criteria for use is attached for information.

If you have any queries, please contact your respective Employer or Staff Side Secretariats.

Yours sincerely



Allison Wheeler
For Employers' Side Secretary



Doug Nicholls
Staff Side Secretary

Enc

Employers' Side Secretary: *Sarah Messenger*
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