

Pay offer Levels A to Level E and SLMs 2018/19 and 2019/20 Summary

This is a two-year pay offer covering the years 2018/19 and 2019/20. The key elements of the offer, which includes changes to terms and conditions for employees, are:

- **Consolidated awards** (consolidated awards are an increase in basic pay) – Consolidated awards of **up to 4%** for eligible employees in most grades on CPS terms and conditions at 31 March 2018 and 31 March 2019 and **below or at their range maximum at those dates**;
- **Non-consolidated awards** – (non-consolidated award is a one off lump sum payment which is not pensionable) (i) For a small number of employees, a one-off non-consolidated payment of **up to 1.75%** of basic pay for eligible employees on CPS terms and conditions at 31 March 2018 and 31 March 2019 and **at their range maximum at those dates**; (ii) A one-off non-consolidated payment equal to 1.75% of basic pay for employees not on CPS terms and conditions at 31 March 2018 and 31 March 2019.
- **Pay Range Minima and Maxima** – For all grades the pay range minimum (excluding Spot Rate Induction Points) will increase by **up to 4%**; The pay range maximum will increase by **up to 6%**;
- **Pay range lengths shortened** – For the majority of grades, the pay ranges will be shortened to between 10% and 15% by 31 March 2020;
- **Change to weekly contracted hours** – Contracted weekly hours will change from gross hours to net hours for all full time employees from 1 July 2019. Weekly contracted hours for those working in London and St Albans will increase by one hour to 37 (pro-rated for those working part-time) from 1 April 2020;
- **A change in business hours for a normal operating day** – The operating hours that employees will be deployed within for a normal business day will become 7am to 7pm, Monday to Friday – effective in Quarter 1 2019/20;
- **Change to contracts for new joiners in relation to the requirement to work overtime** – a requirement to be available for one in four weekends for overtime working for new employees recruited from recruitment campaigns or adverts commencing after 1st July 2019 ;
- **Revision of the Crown Prosecutor, Senior Crown Prosecutor and Specialist Prosecutor roles**, including the introduction of an enhanced Crown Prosecutor pay range from 1 April 2019;
- Establishment of consistent Out of Hours remuneration arrangements;
- **A change which harmonises overtime and travel time rates and removes the provision of Time off In Lieu (TOIL) facility** – effective 1st July 2019;
- **Settlement date** – Awards for 2018/19 will be backdated to 1 April 2018 for eligible employees. The effective date for 2019/20 awards will be 1 April 2019. For all other changes the implementation date will be 1 April 2018 unless otherwise stated.

Pay offer Levels A to Level E and SLMs 2018/19 and 2019/20 Full details

The following outlines the **overall offer** which includes changes to pay arrangements **and** some employee terms and conditions. These are outlined below.

Changes to pay

Consolidated awards

(i) Consolidated increases of basic pay of **up to** 4% for all eligible employees on CPS terms and conditions at 31 March 2018 and 31 March 2019 and **below their range maximum at those dates**;

(ii) For the **majority** of grades, consolidated awards of **up to** 3% for eligible employees on CPS terms and conditions at 31 March 2018 and 31 March 2019 and **at their range maximum at those dates**;

In some cases the award may be part-consolidated up to the 1 April 2018 or 1 April 2019 range maximum as appropriate, with any balance paid as a one-off non-consolidated lump sum. This will be pro-rated where applicable to take account of paid service during the relevant performance year and the contracted hours/working pattern at 31 March for those working part-time at that date.

For each year, the award is subject to satisfactory performance evidenced by the completed e-PDR.

Non-consolidated awards

(i) For a **small number** of employees on CPS terms and conditions at 31 March 2018 and 31 March 2019 and **at their range maximum at those dates** will receive a one-off non-consolidated non-pensionable payment of up to 1.5% of basic pay.

(ii) A one-off non-consolidated non-pensionable payment equal to 1.75% of basic pay for employees not on CPS terms and conditions at 31 March 2018 and 31 March 2019.

In each year, the award is subject to satisfactory performance evidenced by the completed e-PDR.

In all cases, the award will be pro-rated where applicable to take account of paid service during the relevant performance year and the contracted hours/working pattern at 31 March for those working part-time at that date.

Pay Range Minima and Maxima

For all grades (i) the pay range minimum will increase by **up to** 4% (excludes the Spot Rate Induction Point)

(ii) the pay range maximum (including the Spot Rate) will increase by **up to** 6%;

Level A Induction Point – There is no change to the Induction Point in 2018 or 2019;

The proposed pay ranges are set out at **Annex A**.

Pay settlement date

Consolidated awards for 2018/19 will be backdated to 1 April 2018 for eligible employees. Where the award is part non-consolidated this will be paid concurrently and pro-rated according to the number of contractual hours worked at 31 March 2018 for employees working part-time at that date.

The effective date for implementation of 2019/20 awards for eligible employees will be 1 April 2019. The same principles as those set out above will apply.

Pay Settlement and Individual Awards

The tables at **Annex B** show the salaries by grade for each of the settlement years after implementation of the award. Each table uses the salary at 31 March 2018 as the starting point.

To determine your award for each of the two years, find the table and basic salary rate for the grade you were in at 31 March 2018 and then read across the row to 'New salary at 1 April for 2018' and 'New salary at 1 April for 2019'. Employees, who work part time and are paid pro rata according to the number of hours worked, will need to first establish their equivalent full time salary. The new salaries shown will then need to be pro-rated to find the individual part time salary.

Employees who joined the CPS on or after 1 April 2018 may find that their current pay rate is not shown on the table.

Employees on the Level A Spot Rate at 31 March 2018 will move to the 1 April Spot Rate in each year.

If you are entitled to a non-consolidated award, there will be an amount shown in the 'Non-consolidated award' column. If you worked part-time at 31 March of either 2018 or 2019, the actual amount you will receive will be pro-rated based on your contracted hours at that date.

All payments will be subject to the usual deductions such as statutory deductions and pension contributions.

Pay range lengths shortened

We know that lengthy pay ranges and a perceived lack of progression has been a concern for many employees for some time. Public sector pay restraint has limited our ability to resolve the issue but as part of the current offer we can progress matters to further address this issue by narrowing many of the pay length ranges. This means that for the majority of grades, the pay ranges will be shortened to between 10% and 15% by 31 March 2020. Those grades with particularly long ranges will be reduced over an extended implementation period to 1 April 2021. These ranges are illustrated in Annex A.

Changes to employee terms and conditions for Level A to E and SLMs

As part of the pay offer some employee terms and conditions will also be changing; the implementation dates for each change is confirmed in the narrative below.

Change to weekly contracted hours

Change from gross to net hours

At present full-time employees are contracted to work 41 or 42 hours per week including meal breaks. (London and St Albans based employees are contracted to work 41 hours) With effect from 1 July 2019 the standard weekly contracted hours for full time employees will become 36 for those working in London and St Albans and 37 hours for those working elsewhere. This change does not impact for part time employees whose salary is already determined on net hours.

Changes to working hours for those in London and St Albans

With effect from 1 April 2020 the standard weekly contracted hours for **all** full-time employees whose permanent workplace is London or St Albans (i.e. those working 36 hours per week) will increase from 36 to 37 hours. The working hours for part time employees will also increase in proportion to the number of

hours worked in a week; e.g. someone working 18 hours per week will be required to work an additional 30 mins per week. This standardises working hours across the CPS for all employees.

The table at **Annex C** illustrates the extra time employees will be required to work to retain the same salary rate.

Employees will not be compelled to increase their working hours. As an alternative to increasing working hours an employee may stay on the same working hours and opt to have their pay adjusted where the pro-rata increase in working time cannot be accommodated.

Implementing the change in April 2020 enables employees to adjust appropriate caring and domestic arrangements in preparation for the change to a 37-hour week. In the interim a full equality impact will be undertaken.

Establishment of the business hours for a normal operating day

The modernisation and reform across the Criminal Justice Service requires that the CPS is able to respond to changing requirements and to be able to sustainably and reliably deploy employees over a revised set of operating hours and weekly working arrangements. To facilitate these requirements the normal working day from 1 April 2019 will become 7a.m. to 7p.m. Monday to Friday.

This means that from time to time and with reasonable notice and consideration of personal circumstances employees will be required to work their daily hours during Monday to Friday within the 7am to 7pm business day. Requirements to work will be specifically related to business demand, will be underpinned by agreed Deployment Principles and all Areas will undertake impact assessments prior to implementation to identify individual's availability and constraints and how they may impact.

Arrangements will be monitored and kept under continual review at local Whitley Council meetings.

New recruits – changes to contracts for schemes from 1 July 2019

With effect from 1 July 2019 new recruitment campaigns/adverts will require new joiners to the CPS to be under contracts which include a requirement to be available to work at least one weekend a month. Existing arrangements will continue to apply whereby volunteers are sought to work weekend overtime and therefore, where insufficient volunteers are available to meet demand; those on the new contracts will be required to work on a weekend subject to reasonable notice and limits outlined in the contract.

Revision of Crown Prosecutor, Senior Crown Prosecutor and Specialist Prosecutor roles

As part of a continuous process to ensure the CPS is able to meet the demands of a modern criminal justice system and work efficiently and effectively the Crown Prosecutor, Senior Crown Prosecutor and Specialist Prosecutor roles have been reviewed.

The main focus has been on building the capacity of the Senior Crown Prosecutor cadre to be able to deal more routinely with the increasingly more complex activity and casework by enabling Crown Prosecutors to have their decision making and role scope clarified. The Crown Prosecutor and Senior Crown Prosecutor job descriptions are published as part of this offer, but the Specialist Prosecutor job description, whilst small in terms of proposed changes, will be subject to further consultation with DTUS in Quarter 1 2019/20.

For the revised Crown Prosecutor role, a new pay range will be introduced from 1 April 2019 (**see Annex B**) to reflect the expected change in job weight and grading. Colleagues will be migrated to the new range on deployment, based on the quartile position on the 1 April 2018 range and will move to the corresponding quartile position on the 1 April 2019 range. This provides minimum increases of approximately 8% which is

comparable to the uplift applied in moving to a higher grade. This represents the settlement for 2019/20 for the Crown Prosecutor grade therefore no further award will be paid for that year.

Harmonisation of overtime and travel time rates and removal of the Time off In Lieu (TOIL) facility (not applicable to SLMs)

OVERTIME

A number of overtime schemes are currently in place and a key change as part of this pay offer is to implement a standardised, equitable, and easy to understand overtime system with effect from 1 July 2019. As with any overtime arrangements additional hours worked **must be authorised in advance** of them being worked. All payments made for overtime are non-pensionable and subject to the usual statutory deductions.

The following outlines payment for overtime with effect from 1 July 2019.

Overtime worked Monday to Friday between 7am and 7pm

Any additional hours worked under the overtime scheme between 7am and 7pm Monday to Friday will be paid at plain time rate with the exception of Level A and B1 employees. Employees in these grades will be paid overtime at plain time x 1.5 for pre-authorized hours worked **in excess of *36 hours in London and St Albans/37 hours elsewhere** during the week overtime is worked. The same arrangements apply for part time workers and those working a compressed working pattern across 4 days in Level A and B1 grades, who will be paid plain time x 1.5 once they have worked **in excess of *36 hours in London and St Albans/37 hours elsewhere**. Level A and B1 workers who work a 9-day fortnight may claim overtime for the hours worked in excess of **** 72 hours in London and St Albans/74 hours elsewhere**.

(*From the 1 April 2020 this will be 37 for all work locations. ** From 1 April 2020 this will be 74 for all work locations)

Overtime worked Monday to Friday between 7pm and 7am

Employees working overtime between 7pm and 11pm will be paid plain time x 1.2 with the exception of Level A and B1 employees who will be paid plain time x 1.8.

Employees working overtime between 11pm and 7am will receive plain time x 1.3 with the exception of Level A and B1 employees who will be paid plain time x 1.9.

Weekend, Public Holidays and Queens Birthday over time entitlement

Additional hours worked on a Saturday, Sunday, Public Holidays or the Queen's birthday will be reimbursed at plain time x 1.5 for all employees in grades from Level A to Level E. There is no pre-requisite to have worked up to 36/37 hours during the week in which weekend overtime is carried out.

Removal of Discretionary Overtime Scheme (not applicable to SLMs)

The Discretionary Overtime scheme will end effective 30 June 2019.

Travel Time (not applicable to SLMs)

Employees in specified grades shown below may claim payment for travel time in respect of time necessarily spent travelling on official business whilst on detached duty and which is in excess of their contracted hours and their normal home to office journey.

Weekday, Monday to Friday excess travel time

Eligible employees may claim excess travel time for Monday to Friday as follows:

Level A, Level B, AP and Crown Prosecutors may be paid travel time at plain time rate. There is no entitlement to paid travel time for any other grades and excess travel time which exceeds their normal home to office journey time may be claimed as flexi credit only.

Weekend and Public Holidays excess travel time entitlement

Eligible employees may claim excess travel time at weekends, public holidays and the Queen's birthday at plain time payment rate with the exception of Level A, Level B, AP and Crown Prosecutors who may be paid travel time at plain time x 1.5.

Weekend Court Coverage Scheme (WCCS) (not applicable to SLMs)

The current arrangements will be extended to 31 March 2020 to allow for a review during 2019/20. WCCS will operate alongside the overtime and Out-of-Hours deployment arrangements set out above.

Out-of-Hours remuneration scheme (not applicable to SLMs)

Remuneration for those working out of the normal operating hours of 7am to 7pm will be standardised for all employees and payments based on the existing CPS Direct Premia rates. This does not include work undertaken as part of the Weekend Court Coverage Scheme.

A table showing the remuneration rates is set out at **Annex D**.

National Living Wage

The CPS National and London Spot Rates for Pay Band A1 are above the National Living Wage. This meets our on-going guarantee that the aggregate of full-time equivalent basic rate of pay and any eligible allowances for London and National Pay Band A1 will be equal to or greater than the published Living Wage.

Employees in receipt of a Performance Improvement Notice (PIN)

Employees who have received a Performance Improvement Notice will **not** receive a pay award (including a move to the single Spot Rate) for the performance year ending 31 March in which the PIN was issued.

Review of Principal Crown Advocate (PCA) remuneration pay arrangements

The existing arrangements have been in place for a number of years without formal review. We will therefore undertake a full analysis of the PCA pay structure during 2019/20 to ensure it fits with modern business requirements.

General Pay Rules

Annex E confirms the pay outcomes of a change in circumstances such as pay on promotion or a change in geographical location.