



Keele University

# Pay Protection Policy

## Human Resources Department

Lead Director: Director of Human Resources and Student Services
Date ratified by Council: 4 November 2010
Procedure issue date: 4 November 2010 Policy review date: April 2014
Procedure to be reviewed every 2 years. Date of next review: 2016/17

## **1 PURPOSE AND SCOPE**

- 1.1 This policy is designed to support organisational change and security of employment in enabling pay protected suitable alternative employment opportunities to be provided as appropriate. It contains the detailed protection provisions for a member of staff offered redeployment from a higher to lower paid post within the University.
- 1.2 This Policy applies only to University staff who have more than 12 months continuous service.
- 1.3 The University is committed to ensuring that the effect and application of this Policy accords to the commitments set out in its Equality and Diversity Strategy and will monitor this as appropriate.

## **2. PAY PROTECTION ARRANGEMENTS**

- 2.1 These arrangements apply to University staff under the following circumstances:
  - (a) Where the need for redeployment arises as a result of restructuring process and as an alternative to redundancy;
  - b) to a maximum of one grade difference.
- 2.2 In such circumstances, the member of staff's salary will be protected for a period of two years.
- 2.3 The member of staff will receive appropriate cost of living rises during the period of protection. The member of staff will not receive any further incremental points that may have applied to the previous higher grade.
- 2.4 Pay protection will cease after two years. It will cease earlier and at such time as:
  - a) the member of staff has obtained employment at an equivalent or improved level in comparison to the individual's protected pay; or
  - b) pay in the new post reaches the value of the protected pay level.
- 2.5 There will be no entitlement to pay protection under this policy where the reduction of grade is related to:
  - a) Capability or competence to perform the duties of their existing grade;
  - b) redeployment due to ill-health;
  - c) the member of staff, at their own volition, seeks to be redeployed to a lower grade or reduces their hours of work.
  - d) a redundancy payment is made;

- e) an acting up or temporary re-grading reaches its agreed end, or finishes early.

2.6 In addition pay protection does not apply to the following:

- a) a reduction in working hours;
- b) overtime pay: pay protection is only applicable to basic contracted hours;
- c) allowances;
- d) an increase in working hours. In cases where a member of staff increases their working hours, pay protection will only apply to the existing contractual working hours. Any additional hours will be paid at the appropriate level for the post.

2.7 Protection may be terminated if the employee unreasonably refuses a subsequent offer of a suitable alternative post at the previous grade or a post where the earnings are comparable to the earnings in the previous post.

2.8 At the conclusion of the pay protection period, the employee will receive the correct pay for the post into which they have been redeployed. This will be to the maximum (non-contribution) point of the grade for the job into which the member of staff has been redeployed.

2.9 If a backdated pay award affects the pay protection calculation, the protected pay figures will be recalculated accordingly.

### **3 OTHER CONDITIONS OF SERVICE**

3.1 Following transfer to new post all other conditions of service, with the exception of the pay protection arrangements, will be those pertaining to the new post.

### **4. ADDITIONAL INFORMATION**

4.1 As a general principle, the Policy will be reviewed by the HR Department, in consultation with recognised Trades Unions after two years or where operational and/or legislative requirements change.

4.2 This Policy is not contractual and is not intended to be incorporated into individual terms and conditions of employment. It may be subject to review, amendment or withdrawal.

4.3 Other Policies and Procedures associated with this Policy are:

- a) Management of Staff Affected by Change Policy
- b) Staff Redeployment Procedure
- c) Staff Redundancy Procedure

4.4 Further guidance on the application of this Policy is available from Human Resources.