

# Pay Protection Policy

1. This policy applies to employees on [Oxfordshire Local Agreement](#) terms and conditions of employment, including support staff in schools.
2. When an employee voluntarily moves from one job to another within the council his/her pay will normally be determined by the grade of the new post.

Pay protection due to organisational or personal issues outside the employee's control.

3. Where one of the following circumstances applies pay protection may be offered:
  - It is necessary to secure an employee's agreement to a re-deployment which will avoid a dismissal due to redundancy or disability/ill-health. Read [Redeployment Procedure](#) or [Redeployment Procedure for schools' support staff](#).
  - It is necessary to secure the agreement of an employee to a re-deployment which is regarded by the appropriate head teacher or director and the County HR Manager as in the interests of the efficient operation of the council's services.
4. Pay protection provides a way of keeping people in employment and can offer a more cost effective option for the council or school by avoiding the cost of redundancy compensation. It also offers an important means of retaining valuable skills, knowledge and experience.
5. This policy will normally override any previous pay protection arrangements, where employees are affected by redundancy/organisational change or where they are eligible for redeployment due to ill-health or disability.

## Level and time limit for pay protection

6. Pay protection of up to the maximum of one grade, above the grade of the new job, can be offered. The protected rate will be frozen and paid for a period of 12 months. At the end of the 12 month period the employee's pay will reduce to the top pay point of the grade of the new job.

Example: An employee's job is redundant. She is paid on pay point 39 Grade 11. No other Grade 11 job is available but a Grade 10 post has come up that she is suitable for. The employee can be offered the job, paid at her current salary, which will be frozen for a period of 12 months. At the end of the 12 month period her pay will reduce to pay point 36, the top pay point of Grade 10. The employee can accept the offer of this job, with the temporary pay protection, as an alternative to redundancy. Redundancy would not apply when the pay protection ends.

## Cost of pay protection

7. Wherever possible the council aims to offer redeployment to a similarly graded job. Where this is not possible, the cost of pay protection and the suitability of the redeployment will be taken into account in each case when deciding whether pay protection can be offered. The original/transferring service or school will normally be required to fund the cost of any pay protection. Arrangements outside this policy will be subject to mutual agreement and will be with the concurrence of the County HR Manager or head teacher.

## Pay protection following job evaluation

8. Where pay is reduced following job evaluation this is covered by a separate local agreement, i.e. those whose grade is due to be reduced will experience no effects for a period of three years because of full protection of pay including annual national pay awards and incremental rises. After three years the new grade will apply and an employee will normally be placed at the top of the new grade.

## When does pay protection not apply?

9. Where an employee applies for a new job of his/her own choice, or is transferred or demoted as a result of formal disciplinary or capability procedures, his/her pay will not normally be protected. Employees have the right to appeal against loss of pay as part of the appeal process contained in the disciplinary and capability procedures.

## Advice

10. Managers must seek advice from a [HR Business Advisor](#) before implementing changes which may affect an employee's pay. Head teachers should contact the Schools' HR team 01865 797588 [schoolshr@oxfordshire.gov.uk](mailto:schoolshr@oxfordshire.gov.uk) .
11. This policy will be reviewed in 3 years.

**Chief HR Officer, July 2014**