

Transfer of DESC roles to the PSC Frequently Asked Questions No. 2

What will the new pay and grading structure look like, and how does it compare to the Education Support Grade structure?

The JEGS/Industrial JEGS scheme provides for 9 grades, the first five of which capture the skill zones of the manual and craft workforce, with the remaining 4 grades mostly allocated to civil service roles. It is anticipated that the DESC roles transferring will fall both the JEGS and Industrial JEGS grades of the structure.

A comparison of the grade structures is shown below, at April 2019 pay rates:

JEGS/Industrial JEGS	Spine Points			01-Apr-19			Education Support		
	Min	Min/Mid	Max	Min	Mid	Max	ESO	Minimum	Maximum
1. PAY BAND 2 JEGS Points: 0 – 210 CS Grades - AA/D100		11	13		£19,356	£21,282			
2. PAY BAND 5 JEGS Points: 211 – 270 CS Grades - Support Grade 1	12	14	16	£20,294	£22,323	£24,806	Level 1	£ 20,731	£ 23,840
3. PAY BAND 7 JEGS Points: 271 – 320 CS Grades - AO/D200	14	16	18	£22,323	£24,806	£27,302	Level 2	£ 24,411	£ 28,270
4. PAY BAND 10 JEGS Points: 321 – 370 CS Grades – SM3/D300	17	19	21	£26,054	£28,539	£31,032			
5. PAY BAND 13 JEGS Points: 371 - 420 CS Grades – EO/D400	20	22	24	£29,785	£32,271	£34,798	Level 3	£ 29,137	£ 35,531
HEO: PAY BAND 19 JEGS Points: 421 - 520 CS Grades – HEO/D500	26	28	30	£37,514	£40,450	£43,633	Level 4*	£ 34,839	£ 43,718
SEO: PAY BAND JEGS Points: 521 - 600 CS Grades – SEO/D600	26	28	30	£47,064	£50,780	£54,805			
							* 2 extra points available		

Please note that the ESS grades have been shown next to a particular PSC grade for illustrative purposes only, showing the closest match in relation to current pay rates. The basis on which posts eventually assimilate to the new structure can be determined only once the job evaluation process is concluded.

When the project is complete will my post assimilate to the PSC's new starter terms or to old terms?

Upgrading will be to the new salary scales and pay bands, as has been the case for any promotion or re-grading since 1st April 2016 within the PSC. All other terms (e.g. annual leave and sick pay) remain unchanged and protected.

Why was it considered necessary to make the transfer on 1 January 2020?

The proposed transfer involves numerous employment groups including Education Support, Youth Service, Nursery Nurses, and individual contracts linked to civil service terms. Together with teachers and lecturers they constitute a varied and complex set of pay and grading arrangements which are at significant risk from challenge under the provisions for equal pay for work of equal value.

UK Local Government guidance on these matters states that a job evaluation scheme provides an employer with a defence against equal pay claims where the potential claimant and comparator are covered by the same scheme. The Act does not provide this defence where the claimant and comparator are covered by different job evaluation schemes.

Where an organisation uses more than one scheme it could increase the risk of legal challenge, as well as presenting practical difficulties in application. The legal risk is likely to be greater the lower down in the pay structure that the cut-off point for the application of the schemes is set, as it is more likely to impact on jobs and grades which are predominantly filled by women.

An organisation that applies more than one scheme is likely to be faced with the following problems:

- it may be difficult to objectively justify by reference to the requirements of the organisation;
- determining where to place the cut-off/divide between the two schemes to ensure that they give similar rather than different outcomes; and

- designing and applying methods to test the evaluations of jobs within the boundaries between schemes.

Consequently, employers significantly reduce the risk of legal challenge if they use the same job evaluation scheme for all employees, wherever possible.

It is acknowledged that following transfer there will be no immediate change to pay and grading of these groups, and the risk of challenge will still exist. However, by virtue of commencing the project to bring these groups within the PSC and subject to its grading scheme, it is expected to be seen as a reasonable response and the PSC would, in such circumstances, likely be given the opportunity to see its project through to completion.

What happens as and when vacancies arise and new staff are recruited? What terms and conditions will they be employed on and what will they be paid?

All roles, including office based roles, will continue to be advertised on their existing terms and conditions until such time as the project is completed and the new pay and grading structure applied.

If I end up on 10+4 pay protection, will this affect my pension?

Your pension is unlikely to be affected by this change, unless you remain at your protected grade for at least 20 years before retiring. This is because your pension will be based on the highest earnings over a three year period in any of the last 13 years when you retire. Many staff are aged over 50 at present many of whom will have retired before the pay protection expires. In addition, many staff will be promoted to a higher grade and pay, or make a career change.

As the PSC is my new employer, have I maintained my continuous service?

Your continuity of service is unaffected by this change and you continue to work in the Department of Education, Sport & Culture at the same location as at present. You can check your date of continuous service by logging in to PIP: https://pipforme.gov.im/tlive_ess