

**Collective Agreement between Gloucestershire County Council and (1)
UNISON (2) GMB and (3) Unitetheunion regarding:**

- A. implementation of Year Two (2019-20) of the National Joint Council (NJC) for Local Government Services (LGS) national pay award; and**
 - B. implementation of a new grading structure for Gloucestershire County Council in respect of all Council employees who are engaged on NJC for LGS conditions of service.**
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Introduction

UNISON, GMB and Unitetheunion (the 'Trade Unions') have reached local collective agreement with Gloucestershire County Council (the 'Council') in respect of the matters set out below regarding variations to the terms and conditions of employment of all Council employees (the 'Employees') who are subject to NJC for LGS conditions of service (the 'Green Book').

This agreement is concluded under the terms of the Single Table Recognition Agreement 1998 (Appendix 1), with particular reference to clause 12 whereby:

“[a] collective agreement reached between the Trade Unions and the Council shall, as part of that agreement, be incorporated when required into the terms of employment of the relevant employees of the Council”.

This agreement is intended for incorporation into the contracts of employment of the Employees, in accordance with the above clause, through an express term in the Council's contracts of employment (as set out in the statutory statements of particulars of employment) which provides that:

“[The] terms and conditions of employment ... are covered by collective agreements negotiated and agreed by the National Negotiating Committee relating to [the relevant] employment group. In addition there are local collective agreements negotiated by the Authority with a specified trade union or unions recognised by this Authority for collective bargaining purposes ... From time to time variations in [the] terms and conditions of employment will result from negotiations at National ... and/or local levels ... In either instance the effect will be that the changes are incorporated into the contract of employment”.

Note - *In addition to Council Employees in schools, employees of maintained schools in Gloucestershire where the governing body (rather than the Council) is the employer may be engaged under contracts of employment that are subject to the Green Book.*

Where these contracts provide for the incorporation of changes to terms and conditions of employment made from time to time through national and/or local (Council) collective agreements the contracts of employment of those employees will be varied as a result of the incorporation of this collective agreement.

This remains the case notwithstanding that individual governing bodies are not direct parties to this collective agreement. This is because the individual contracts of employment of their Green Book employees expressly provide for the automatic incorporation of changes to terms and conditions derived from a source external to the employer (i.e. national and/or local collective agreements).

Implementation of Year Two (2019-20) of the National Joint Council (NJC) for Local Government Services (LGS) national pay award

A two-year national pay award was concluded in respect of employees covered by Green Book conditions of service. Year One of the pay award was implemented with effect from 1st April 2018 and provided for various percentage increases to all the pay points on the Green Book national pay spine.

Year Two of the national pay award is implemented by way of the introduction of a new national pay spine within the Green Book which includes the Year Two pay increases.

To implement Year Two of the national agreement councils must apply the new national pay spine to their local grading structure. The Council will implement the new pay spine through the two-stage process set out below.

A copy of the Council's current grading structure for Green Book posts (i.e. prior to application of the new national pay spine is enclosed as Schedule 1.

A copy of the Council's current grading structure for Green Book posts, incorporating the new national pay spine, is enclosed as Schedule 2.

Stage One: annual increments

All Employees who are due to receive an annual pay increment on 1st April 2019 will receive their increment on the current pay spine (as set out at Schedule 1).

Stage Two: transfer to the new national pay spine

On completion of Stage One (above) the Employees will subsequently be transferred to the corresponding point of the new pay spine as applied to the current grading structure (Schedule 2). A table showing all points on the current pay spine and the corresponding points on the new pay spine to which they will transfer on 1st April 2019 is set out at Schedule 3.

For the avoidance of doubt:

- Any annual increments due to Employees on 1st April 2019 will be made on the current pay spine (Schedule One); increments due to Employees on 1st April 2019 will not be made on the new national pay spine (Schedule Two).
- The Council's current grading structure incorporating the new national pay spine (Schedule 2) will continue to apply for the period 1st April 2019 to 31st August 2019 inclusive.
- There is no further increase to be applied to the pay points of the new national pay spine during the period 1st April 2019 to 31st March 2020 in respect of Year Two of the Green Book national pay award (the pay increase is incorporated in the rates of pay set out in the new national pay spine).

Implementation of a new grading structure for Gloucestershire County Council in respect of all Employees engaged on Green Book conditions of service

With effect from 1st September 2019 the Employees will transfer to a new grading structure (the 'New Grade(s)'). The New Grades are as set out at Schedule 4.

A table setting out the current grades and pay points (on the new pay spine as from 1st April 2019) and the New Grades and pay points within those grades to which they will transfer on 1st September 2019 is set out at Schedule 5.

In accordance with s.4 of the Employment Rights Act 1996 the Employees will be issued formal notification of the variation to their contracts of employment in respect of their transfer to the New Grades as soon as reasonably practicable after 1st September.

Also, on introduction of the new grading structure with effect from 1st September 2019, the maximum pay point for eligibility to claim the additional payments specified in the Additional Payments document (Appendix 2) will be increased to the top of new Grade 8 (the equivalent of the top of old Grade I). The Additional Payments document will be revised accordingly to reflect this contractual variation.

The new grading structure (from 1st September 2019) will not be applicable to any employees who:

- a) transfer out of the Council's/school's employment prior to 1st September 2019;
or
- b) have transferred or will transfer into the Council's/school's employment prior to 1st September 2019 and are employed under pay and conditions that are protected under the TUPE regulations.

SIGNATURES

The Council and the Trade Unions agree to the matters set out in this collective agreement which has been concluded under the terms of the Single Table Recognition Agreement 1998 and ratified by the Council's Appointments Committee on 5th February 2019 in accordance with the Council's constitution.

The Council and the Trade Unions agree it is intended to incorporate into the individual contracts of employment of the relevant Employees the above provisions regarding:

- A. implementation of Year Two (2019-20) of the Green Book national pay award with effect from 1st April 2019; and
- B. implementation of a new grading structure for the Council in respect of the relevant Employees with effect from 1st September 2019.

Signed (for the Council)

Date

Signed (for UNISON)

Date

Signed (for GMB)

Date

Signed (for Unitetheunion)

Date