

**To: The Chair of the Probation Board
The Chief Officer of the Probation Board
(Copy enclosed for the Head of Human Resources)
The Secretary of the Probation Board
The Treasurer of the Probation Board
Members of the NNC**

19 April 2006

NNC CIRCULAR NO.4/2006

Dear Sir/Madam

JOINT GUIDANCE ON (1) HARMONISATION OF ANNUAL LEAVE AND LEAVE YEARS AND (2) TRANSITIONAL ARRANGEMENTS FOR ALLOWANCES PAID THROUGH THE SALARY SPINE

We write to advise you that agreement has now been reached on guidance on the arrangements for harmonisation of annual leave entitlements in relation to the NNC agreement on the Modernisation of Pay and Conditions of Service. This Guidance is **attached at Appendix 1.**

Also included in Appendix 1 is guidance on transitional arrangements for allowances paid through the salary spine. Once again, this is in relation to the NNC agreement on the Modernisation of Pay and Conditions of Service.

A comprehensive guide to the implementation of the new pay and grading structure is still under discussion and will be issued as soon as it is agreed.

You are asked to bring this Joint Guidance to the attention of colleagues as appropriate.

Yours faithfully

**Martin Wargent
Judy McKnight**

Joint Secretaries

APPENDIX 1

NATIONAL NEGOTIATING COUNCIL (NNC) PAY AND CONDITIONS OF SERVICE

JOINT GUIDANCE ON HARMONISATION OF ANNUAL LEAVE AND LEAVE YEARS & TRANSITIONAL ARRANGEMENTS FOR ALLOWANCES PAID THROUGH THE SALARY SPINE

ANNUAL LEAVE AND LEAVE YEARS

The recently concluded NNC Agreement will result in the harmonisation of annual leave entitlements across the National Probation Service and these arrangements are being introduced on a phased basis.

Annual Leave Year

At present, and in practice, there are two definitions of the annual leave year:

1. Annual leave year from 1 April to 31 March.
2. Annual leave year that commences from anniversary of appointment.

Guidance

Joint Secretaries have determined that the two annual leave year definitions may continue to operate along side each other but with the proviso that this position may be reviewed in the light of operational experience at a future date.

Staff whose annual leave entitlement on 1 April 2006 is greater than that which is applicable under the new NNC Agreement qualify for protection (See NNC Pay and Conditions of Service Modernisation Document – Paragraph 7.17 and Appendix A: Section 6). Where such staff have an annual leave year that commences from the anniversary of appointment, this period of protection will commence from 1 April 2006.

Indicative Examples:

1. Probation Officer appointed on 1 October 2001 with an annual leave year that begins from 1 October each year.

He/she will have a protected 36 days annual leave entitlement for 5 years from 1 April 2006 which will expire on 31 March 2011.

- a. In his/her annual leave year 2010/2011 (viz. from 1 October 2010 to 30 September 2011) the entitlement would be:

Accrued from 1 October 2010 to 31 March 2011.
0.5 of 36 days = 18 days

Accrued from 1 April 2011 to 30 September 2011
0.5 of (30 days annual leave + 3 service days)
= 15 days + 1.5 service days

Total for 1 October 2010 – 30 September 2011
= 33 days + 1.5 service days.

- b. Annual Leave Year 2011/2012 (viz. 1 October 2011 to 30 September 2012)

Annual leave entitlement is 30 days plus 3 service days.

2. Likewise, where an employee has an annual leave entitlement under the new Arrangements which is less than that which is applicable under the existing NNC Agreement, the phasing-in of improvements for such staff will commence from 1 April 2006.

For example an employee appointed on 1 October 2003, with an annual leave year that begins from 1 October each year, has a pre-agreement annual leave entitlement of 23 days.

- a. In his/her annual leave year 2005/2006 (viz. from 1 October 2005 to 30 September 2006) the entitlement would be:

Accrued from 1 October 2005 to 31 March 2006
0.5 of 23 days
= 11.5 days

Accrued from 1 April 2006 to 30 September 2006
0.5 of (25 days annual leave plus 2 service days)
= 12.5 days + 1 service day

= 24 days + 1 service day.

- b. Annual Leave Year 2006/2007 (viz. 1 October 2006 – 30 September 2007)

Annual leave entitlement is 26 days plus 2 service days

Note: Calculated annual leave and service day entitlements of less than 0.5 days are rounded up to 0.5 days. Calculated annual leave and service day entitlements of more than 0.5 days are rounded up to the next whole number.

New Appointments

Where Probation Areas have staff whose current annual leave entitlement is less than that which is provided for under the new NNC Agreement, they will be subject to the phasing-in arrangements (See NNC Pay and Conditions of Service Modernisation Document - Paragraph 7.14 and Appendix A: Section 6).

For clarification purposes, the Joint Secretaries have agreed that newly appointed staff, who are not probation officers, should be appointed on the same phasing-in arrangements for annual leave entitlement.

GUIDANCE ON TRANSITIONAL ARRANGEMENTS FOR ALLOWANCES PAID THROUGH THE SALARY SPINE

Prior to the publication of full guidance on the implementation of the new pay and grading structure to include assimilation, pay protection and the new geographical (GS) and market forces (MFS) supplements, allowances can continue to be paid through the salary spine in accordance with the existing NNC Agreement Section III: Paragraphs 3(a), 3(c) and 4(b).

The circumstances and reasons for payment of allowances paid through the salary spine must be made clear to newly appointed staff and be fully detailed in letters of appointment. This must include an explanation that such payments will be protected for a period to 31 March 2009. Also, where the payments are for recruitment and retention or are London Fringe Allowances it must include that such payments may be replaced by either a Market Forces or Geographical Supplement.