



HM Prison &
Probation Service

Probation
Service



Harmonisation Ballot FAQ's

September 2022

Preventing victims by changing lives



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My annual leave from my previous employer is more generous than the PS leave. Does that mean I will need to cancel my booked leave to reflect the reduced number of days?

If the leave entitlement you had from your previous employer is more than the PS leave entitlement you can keep your previous entitlements until 28 February 2023.

Then from 1 March 2023, legacy entitlements will cease to apply, and the PS Annual Leave entitlements will apply without exception.

If the leave entitlement you had from your previous employer is less than the PS leave entitlement you will be entitled to the PS leave entitlement, from 26 June 2021 or 01 February for ex User Voice staff. This excludes Queen's birthday privilege day which will only apply from 2022 onwards.

In order to give you time to take the extra leave you will be permitted an exemption to normal leave carry over limits for 2023 / 2024 leave year. (This will also apply to staff who are subsequently transferred out of PS into HMPPS/MOJ).

The PS annual leave year runs from 1 March to end February.

I transferred in on 26 June 2021 and then 2 weeks later I went onto maternity leave. Under my old employer's policy, I was only entitled to statutory maternity pay and leave. However, if my maternity leave had been under the PS policy it would have been much more generous. How do you plan to address this?

Because your Expected Week of Childbirth (EWC) was after the date of transfer, we will make up the difference between the maternity pay you received, and the PS maternity pay you would have been due for the period you were absent. There will, however, be no increase in the leave entitlements for periods of family leave taken since the date of transfer – the backdating of terms applies to pay only.

The PS policy will only apply to staff with an Expected Week of Childbirth (EWC) date or matching date (for adoption) on 26 June 2021 or after.

Since transfer I had to take annual leave when a family member was ill. However, if I had been on harmonised terms I could have applied for special leave. How are you planning to address this?

This is not something we will apply retrospectively. The PS Special leave policy will only apply from the date of proposed agreement to harmonise. Any absence under legacy policy at time of implementation will conclude under legacy policy, after which the PS policy will apply.

To note, where a special leave term specifies an entitlement to a specified number of days per year, this is determined on a rolling 12-month basis and so eligibility for the full PS entitlement starts from the date staff become eligible for PS Special Leave.

Where can I find a full set of the PS Terms and Conditions that I will be working under in the event that I am successfully harmonised?

They can all be accessed on the HMPPS Intranet – type PI followed by topic i.e., PI annual leave into the search function, or the links below;

<u>Special Leave - PI 2017-10 - HMPPS Intranet</u>	<u>Family Leave - PI 2017-08 - HMPPS Intranet</u>	<u>Career Break - PI 2017-06 - HMPPS Intranet</u>	<u>Travel & Subsistence - PI 2015-17 - HMPPS Intranet</u>
<u>Reward & Recognition - PI 2014-40 - HMPPS Intranet</u>	<u>Long Service Award - HMPPS Intranet</u>	<u>Exit Management - PI 2014/44 HMPPS Intranet</u>	<u>Attendance Management - PI 2017/01 - HMPPS Intranet</u>

Where can I find a full set of the Terms and Conditions for other parts of HMPPS, or the wider MoJ if that is my eventual harmonised location, so I can see what they will be?

For HMPPS, as above but put PSI instead of PI into search function e.g., PSI Annual Leave

For MOJ Go to the MOJ intranet – HR tab.

I cannot see on SOP what my grade is. How do I know what grade I am?

Until you are harmonised SOP will not show a PS / MOJ or HMPPS grade - this is to ensure you continue to receive your legacy pay and terms. If you are not sure what your grade is please speak to your line manager.

What do you mean by FTE?

FTE means full time equivalent i.e., someone working full time. Different organisations have different full time working hours. In PS, MOJ and HMPPS, full time is 37 hours. If you were a full-time employee in your previous organisation you will continue to be managed as a full-time employee in the PS even if your working hours were less than 37.

How will people not yet matched know to what they will be harmonised?

Everyone will be harmonised onto PS terms. For those staff not confirmed in a role it is proposed they will remain on legacy pay until they are confirmed in a role. Pay assimilation will then be the same as for other staff. In short to the equivalent, or if no equivalent, to the next highest pay point for the pay scales the job they are confirmed in falls in.

How often are the reviews with unmatched staff undertaken? I have not experienced one yet.

Following the processes (role alignment accepted match and panel review phases and trial and transition period) associated with the transfer of staff, the ongoing management of staff who were not matched through those processes is an ongoing consideration for the business with HRBP Community support as part of their regular business e.g. consideration through workforce planning and as structures change. The business are not 'matching' staff and rather than considering a % match between roles, can consider 'fit with appropriate development in a reasonable timescale. The TU's also have an interest in this group of staff and we are providing them with a regular overview of the numbers in this group.

What is the timeline for matching staff to roles post harmonisation?

Matching was a transfer activity. Following the processes (role alignment accepted match and panel review phases and trial and transition period) associated with the transfer of staff, the ongoing management of staff who were not matched through those processes is an ongoing consideration for the business with HRBP Community support as part of their regular business e.g. consideration through workforce planning and as structures change. The business are not 'matching' staff and rather than considering a % match between roles, can consider 'fit with appropriate development in a reasonable timescale. The TU's also have an interest in this group of staff and we are providing them with a regular overview of the numbers in this group.

What is being done centrally to actively match staff to roles? This should not be left up to managers.

See response on previous slide – not matching now – there are BAU processes to consider this group and others who need to be considered e.g. through workforce planning etc with the support of the HR community.

What is the timeline for secondary transfer?

The scope of this work is directly affected by the outcome of the ongoing harmonisation work and therefore will not be able to begin until the harmonisation work is complete.

I have an interview on Tuesday for an MOJ role. If I am successful does this take me out of the harmonisation process?

Yes it does as you will be accepting MOJ terms when you accept the role. However we will consider the period during which you were not harmonised and see if any benefits are due to you.

Continuous service seems to be defined differently in the two documents. I have been told it is from date of starting with previous employer but for EVR it appears to be from starting to work with the probation services contract. Is this the case?

That is correct. Continuity of Service Date does differ depending on the context and does differ for EVR. In terms of EVR the provision around time on the probation contract / service is intentional. Parent Organisations (PO) may have moved staff between CRCs and the PO and someone who may have 20 years' service with the PO, but only 2 on the probation contract should not benefit from a publicly funded enhanced exit package for the whole 20 years. If former PO/SC staff the starting assumption would be that we would not expect service on the probation contract to pre-date Feb 2015 (the date the CRCs were sold), unless staff can evidence that they were former Probation Trust / CRC staff who moved onto a PO contract at some point after transfer in June 2014 and transfer in June 2021.

Why was medical allowances treated differently to other allowances?

Private medical is a term which is not compatible with CS terms. The provisions of Schedule 2 (7) (3) of the Offender Management Act state the terms and conditions of a person's contract should be consistent with employment in the civil service in order to transfer. Therefore, this term has no effect after the transfer and as such it was not pay protected for ex CRC staff who transferred in 26 June 2021.

I've read through the harmonisation proposals. How do you actually vote?

You need to be a member of one of the recognised Trade Unions. The trade union will contact you with details of how to vote. To join – or chase the TU if you are a member but you have not received any ballot details from them the contacts are below

Harmonisation and your trade unions

You will need to be a member of one of the following trade unions in order to vote in the harmonisation ballot.

If you are already a member, your trade union will be in touch with further details of the ballot process and they will also share full details of the final proposals once the ballot has opened. Any questions about this should be directed to your TU representative.



Representing all staff
Katie Lomas klomas@napo.org.uk



Representing staff in bands 1-6
policeandjusticeteam@unison.co.uk



Representing Senior Managers and Chief Officers of Probation (Bands A-D)
Peter Brandt peter.brandt@justice.gov.uk

I am a former Supply chain employee moving to Band 8 HMPPS but currently on 37.5 hours. Am I right to assume I will move onto Band 8 minimum as the legacy salary is below band minimum? Also what will the effect of moving from 37.5 to 37 hour have on that starting salary?

Based on

HMPPS band 8 role national (i.e. not London)

Assimilation to 37 hour working week

$£34677.71 / 37.5 = £924.74$

$£924.74 \times 37 \text{ hours} = £34,215.34$

So pay for assimilation will be based on £34,215.34

Band 8 pay range is:

£42,626 to £51,154

So would be placed at a band minimum £42,626.

Will my “Working From Home” contract be honoured?

Where someone transferred in with a contractual homeworking agreement this will be honoured under the flexible working policy.

If I have to move to a named office for a base, will I be paid travel to that office?

As agreed at measures, since transfer, in the event the business moves you, the PS Permanent Transfer policy will apply which enables PS to assist with any additional costs incurred in your travel to work which caused by the move.

What do you mean by “basic annual salary”?

The basic annual PO & SC salary which will be used for assimilation purposes will relate to basic pay only and will exclude all pay allowances.

What do you mean by pay protection on marked time erodible basis?

Where your old total salary (i.e. basic pay plus any protected allowances) is more than your new salary, the difference will be pay protected, and you will continue to receive that total amount for a period of 3 years from transfer. Pay protection is intended to ensure staff do not suffer an immediate financial detriment as a consequence of the transfer, either through a reduction in salary as staff are moved on to PS MOJ or HMPPS pay scales, or the loss of a pay allowance that does not exist in the PS. Any increase in basic pay or allowances that you receive will cancel out (or ‘erode’) any pay protection in place. All pay protection will end 3 years after the date of transfer.

In the event of my salary increasing as a consequence of successful harmonisation will that increase be backdate and, if so, to when?

It is proposed that pay will be backdated to 26 June 2021. 1st February 2022 for former User Voice employees

Given that this pay rise is going to fall within April but will be backdated to June 2021 does the company intend to consider the recent market developments and the overall increase in the cost of living?

As a Civil Service department, pay awards for Probation Service staff are subject to Civil Service pay remit guidance. This guidance sets the parameters within which departments can negotiate pay offers for their staff each year. You may be aware that a three-year pay offer for 2022/23 up to 2024/25 is currently under ballot of Trade Union members. This offer has been negotiated with probation trade unions, details of which can be found on the HMPPS intranet <https://intranet.noms.gsi.gov.uk/corporate/probation-service-pay>

Is my pay protected from June 2021 and therefore I won't get the pay award for Probation that is currently under negotiation?

You will get the pay award relevant to the part of the organisation you are working in e.g. if you work in finance or HR it will be the MOJ pay award. Any pay award due will be awarded but if you are subject to pay protection the pay award will erode the value of the pay protection.

Would it be possible to clarify the pay protection period for ex-CRC staff who have been transferred to MoJ? It would appear that they would be subject to the MoJ pay deal but as part of the documentation provided as part of this pay deal on the intranet, staff that have transferred in previous Functional Leadership Cohorts would have received mark time pay from 1st August 2021 to 31st July 2026.

All of the staff who transferred as part of this transfer from CRC, PO and SC are being treated consistently in terms of 3 years pay protection.

I am an ex CRC member of staff working in functional leadership. When will I move onto the correct pay for the role I am doing?

You will be moved onto the relevant HMPPS or MOJ pay as part of the work to harmonise all staff onto PS terms.

If you are working in an HMPPS pay bands 1 to 5 will you will align to a pay point and therefore you may move to the next highest pay point.

If you are working in HMPPS as a band 6 or above, or in an MOJ role, you are likely to align to the same pay you received in your PO or SC. This is because HMPPS pay scales 6 to 11 and MoJ pay scales are open ranges. However, if your PO or SC pay is less than the band minimum you will be moved to the minimum of the pay scale. If your PO or SC pay was higher than the band maximum you will be placed on the band maximum and given marked time erodible pay protection to the value of your PO or SC salary. This will be backdated to the 26th June 2021.

Regarding backpay - will NI contributions be adjusted accordingly?

This will be auto adjusted by payroll when the backpay is processed.

There are 3 weekend teams of 4 people, each doing this rotating schedule. We are not allowed to have more than 4 off on one day) which means if you want to have your 2 days off together (which most people do) you work a minimum 7 days straight and often 1 or 2 members of our team end up working 8 or more days in a row, often 10 days if you want to have 2 days off together. They would be eligible for USH as long as the business deemed they are required to work weekends and are not just choosing to.

Also can you confirm if back payment is from April 21 or April 22 as I've heard two different years.

Those who transferred in June 2021 are still entitled to the pay award and will be in receipt of pay progression and the uplift in salary values as proposed in the pay offer from 1 April 2022, assuming it is agreed.

There is a group of staff who are yet to be harmonised and on which there is a ballot underway. Assuming that ballot is successful, these staff will move into probation service ts & cs and assimilate to probation service pay effective June 2021 (the date of transfer). They then will benefit from the pay offer and receive the increases

If we harmonise i understand I will become eligible for the PS pay award. What happens in terms of pay awards if the current pay ballot is not accepted.

If the pay offer were rejected at ballot we would need to return to Cabinet Office and HM Treasury to agree a single year pay award and then present this to the Trade Unions. We would seek to provide a single year pay award as soon as possible, while this would likely take months rather than weeks, we could not reliably estimate a timeframe due to the different departments and stakeholders involved

Car Allowance & Consolidated Bonus Payments; I'm in receipt of these payments since transfer in June 21, as they were paid to me by my legacy PO. I understand these will be paid for a period of 3 years from June 21. What happens upon secondary transfer to MOJ? Does the 3 year date still apply then? Also what happens to them after 3 years?

The pay protection will continue for 3 years from 26 June 2021 until June 2024 and is not affected by your move to MOJ. However the pay protection is on a mark time erodible basis and so will decrease as your pay or any pay allowances increase over time, so it could be eroded by any pay increases before the end of the 3 years. It will end completely at the 3 year point.

I currently get a London weighting – will this be considered as part of my basic pay? Will I get pay protection for this amount .

This is an allowance and so not considered part of basic pay. If you meet the PS criteria for London weighting, you will be entitled to receive this, and it will be backdated to 26 June 2021 or 01 February 2022 for ex User Voice staff. However, if you have been in receipt of a legacy London weighting allowance this will be taken into consideration as follows:

- A. Where the legacy London allowance was less than the PS allowance the difference will be backdated
- B. Where it is more you will not be required to repay any difference but going forward you will receive the difference between the legacy amount and the PS amount as time limited and erodible mark time pay.

I previously worked for Novus as a resettlement officer in HMP Highdown, we are classed as a London prison so we will be getting the full London waiting allowance? Will we also get a prison allowance?

Yes you will be eligible for both.

Will my backdated pay be paid as a lump sum? Are there any tax implications to this?

Yes it will be paid as a lump sum and could have tax implications (or implications for any benefits anyone is in receipt of). It is the responsibility of the individual to manage such liabilities, but SSCL will provide a detailed breakdown of pay if required.

Nacro T&Cs were 40hr contract, working 35, 5 hrs paid lunch. Will our pay be worked out on 35 or 40 hours?

Your pay will be assimilated on the basis of your legacy 40hrs effective from 26 June 2021, however, as meal breaks are unpaid in PS your hours and pay will be assimilated to 37 at an agreed future date and any reduction in salary will be pay protected.

Example

- You are matched to a band 3 Probation Officer role
- Your legacy working week is 40 hours
- Your legacy salary is £23,552

Pay assimilation

As there is no direct match to your salary of £23,552, you will be placed on pay point 2 of the Band 3 scale at £24,091, which is slightly more than your legacy salary.

This will be backdated to 26 June 2021.

on assimilation to a 37 hour working week

$$£24,091 / 40 = £602.28$$

$$£602.28 \times 37 = £22,284.18$$

As there is no direct match to revised salary of £22,284.18 you will be placed on pay point 1 at £23,174 from the date of change and receive £917 for the difference as pay protection for 3 years.

Note – figures quoted are based on 2021 pay scales and will be subject to increase at 1 April 2022 when PS pay award is implemented.

I was employed on a standard working week of 35 hours which I have worked since I transferred to the PS. I understand I am now going to be moved onto a 37-hour working week. Do I have to make up the 2 hours less a week I have worked since transfer, or will I have any salary taken back?

There is no requirement to make up hours or repay any salary. Account is taken of the differences in the standard working hours that some staff transferred in with when we work out what your PS, HMPPS or MOJ pay will be. Where the standard working week is more or less than 37 hours, two calculations will be done;

- 1. From 26 June 2021 (or 01 Feb 2021 for ex User Voice staff), to the date of the agreement pay will be harmonised on the basis of the PO or SC standard working hours.
- 2. From the date of the agreement to harmonise onwards pay will be harmonised on the basis of a 37 hour working week.

For example,
 PO or SC salary £25,000
 PO or SC working week 35 hours
 Working as a band 3 diary manager, band 3 pay scales;

Band	Pay Point	
3	Min	£23,174
	2	£24,091
	3	£24,801
	4	£26,313
	Max	£28,200

- 1. From 26 June 2022 (or 01 Feb 2022 for ex User Voice employees), to the date of the agreement pay will be aligned to pay point 4, £26,313 next highest pay point
- 2. From the date of the agreement to harmonise onwards;
 Calculate pay on basis of a 37 hour standard working week; PO or SC FTE salary / current standard working week x 37 hours
 $£25,000 / 35 \times 37 = £26,428.57$

Pay will be aligned to the max of the band 3 pay scale, £28,200, next highest pay point.



I have been aligned to a band 8 role in HMPPS. My legacy salary is below the band minimum so I understand my pay will be assimilated to the band minimum. I don't understand how pay progression will work though as there are no increments.

In HMPPS F&S Band 6-11 are open ranges.

Progression this year is up to 4% (it would be less if you hit maximum sooner). This is in addition to the 4% base pay increase that is received by all staff even if not eligible for progression.

Please refer to the information on the intranet about the HMPPS pay award at;

[Prison pay award 2022 to 23 \(bands 2 to 5 pay tables added\) - HMPPS Intranet \(gsi.gov.uk\)](#)

I have been aligned to a grade 7 role in MOJ. How can I find out about the MOJ pay award will I get and when?

The MOJ is in year 3 of a 3 year pay deal. For more information refer to [Pay offer – year three update - Ministry of Justice HQ Intranet](#)

What will happen to my pay if I remain unmatched at the end of the pay protection period? What salary will I be given?

We do not envisage you will still be unmatched by June 2024 but should that be the case your pay will revert to your legacy pay only and any legacy pay allowances will be removed. So far example if you transferred in on a 37 hour week on salary of £30,000 and pay protection for a car allowance of £200 per month for example (which is an allowance we do not pay in PS) the £200 per month pay protection will end in June 2024.

How will the pay award be applied for those moving to MOJ pay?

The pay award will be applied to your harmonised pay effective 1 April 2022 for HMPS and PS staff (subject to ballot) and 1 August for MoJ staff. HMPS and PS pay awards are in the process of being finalised and further details can be found on the intranet: <https://intranet.noms.gsi.gov.uk/news-and-updates/news/prison-pay-award-202223>, <https://intranet.noms.gsi.gov.uk/news-and-updates/news/probation-pay-a-three-year-pay-offer>. For MoJ staff the pay award has already been processed and the following example applies:

Matched to MoJ HEO (National)

Legacy salary £29,000

Legacy working week 37.5

Pay on assimilation will be £29,000. Pay award applied 1 April 2022 £31,265

Assimilation to 37 hours

$£31,265 / 37.5 \text{ hours} = £833.73$

$£833.73 \times 37 = £30,848.13$

New salary will be £30,848 plus £417 pay protection for 3 years.

If we do not harmonise will I get a pay award going forward?

If you are not harmonised you will remain on your legacy terms and conditions and therefore will not become eligible for the Probation Service, HMPPS or MOJ pay awards. Only contractual legacy pay awards will continue to be paid.

Payments of back pay and new pay scales are hoping to be set as of October pay. Will transferred staff be in scope for this? Will we go on a higher Pay Point within our Bands? I feel it's unfair that transferred staff haven't been intitled to pay increases since transfer and feel we should automatically go on at least the second pay point of our bands. New starters on the same pay band will start on the same pay point as transferred staff even though transfer staff have 16months service at the point of Octobers pay.

Those who transferred in June 2021 are still entitled to the pay award and will be in receipt of pay progression and the uplift in salary values as proposed in the pay offer from 1 April 2022, assuming it is agreed. There is a group of staff who are yet to be harmonised and on which there is a ballot underway. Assuming that ballot is successful, these staff will move into probation service ts & cs and assimilate to probation service pay effective June 2021 (the date of transfer). They then will benefit from the pay offer and receive the increases outlined in the session today.

I understand its confusing for individuals in this situation so don't worry, but rest assured, if you have harmonised onto probation ts & cs, the pay offer (if agreed) will apply to you and you will be entitled to the uplifts effective April 2022, the same as all other members of staff.

Should I be on a Civil Service pension? My pay slip shows LGPS?

Pension will not change as a consequence of harmonisation. There could potentially be changes as a consequence of secondary transfer. The final approach will be determined and managed as part of secondary transfer.

Re harmonisation and pension payments. Given many of us have been on a lower salary than Probation T&C since June 2021, I assume we have therefore made lower pension contributions during this time? If the current proposal is successful, will there be any option for those effected to make additional pension payments to cover the period from June 2021 to any harmonisation date and have these matched with employer contributions that we would have accumulated for the period we received less pay? i.e. having been paid a salary below Probation salary scales since June 2021, I understand pension contributions aligned to salary have therefore also been less? Therefore, is there an option to top up the missing contributions we would have made, had we have been on Probation T&C?

Any pay arrears will also generate the related Pension contributions for both employee and employer so there will be no shortfall to make up on harmonisation. The only issue we have in this area is that some of this payment will be in the wrong year. We usually work with SSCL to send a separate instruction to MyCSP to split this out and reflect the pension contributions in the correct year.

If the harmonisation of pay and T&C's is to be backdated to 21 June 2021, the additional contributions (both employee and employer) would be deducted from the arrears of pay due.

Making corrections to pension records which cover a number of scheme years in the LGPS may be undertaken through the normal interface (i-Connex) to GMPF and would not require a manual correction split out month by month (which MyCSP do with members of the CSPS). A manual correction to a record in GMPF would be required where the individual has already exited the service.

A member of the LGPS has the option to purchase additional pension at any time, through taking on an Additional Voluntary Contribution (AVC) or Additional Pension Contribution (APC) contract to top up their pension benefits. Details are available on the following link [Ways you can top up your pension - GMPF](#)

Re backpay – will employer and employee pension contributions be adjusted?

This will be auto adjusted by payroll when the backpay is processed.

What about the ‘pension growth’ though ? (that we may have missed out on). If the shortfall was say, £100, and £100 gets paid into the Pension, let’s say tomorrow, it would probably be worth more than that if it had been in the Pension for that time, and not lapsing in the ‘wages owed’ pot.

When a retrospective correction to pensionable pay is made it is back dated to the date it should have applied, with the monthly corrections being made going forward. This information is then interfaced to the pension administrator to correct the pension record month by month going forward with confirmation of the year end data for the individual member. The pension administrator will then re-calculate the pension accrued over the period affected and any annual increase due (which is normally undertaken on 1 April each year) will be applied accordingly.

For the scheme year 2021 to 2022 the rate of CPI applied was 0.5% and for 2022/23 it was 3.1%.

How will staff on marked time because of the transition on to NPS pay would be impacted by flexible retirement/retirement? Would pension be based on the NPS salary or old CRC one?

This would be based on your PS pay.

Please can you advise the death in service – if any – benefits that harmonisation will provide?

The death in service is linked directly to pension so it depends which pension scheme you are enrolled in.

LGPS

If you die in service as a member of the LGPS a lump sum death grant of three times your assumed pensionable pay at your date of death is paid, no matter how long you have been a member of the LGPS, provided you are under age 75 at the date of death.

If you also have a deferred benefit and/or a pension in payment from a previous period of membership of the LGPS, the lump sum death grant that will be payable is the greater of:

- the total of any lump sum death grants payable from the deferred and/or pensions in payment
- three times your assumed pensionable pay at your date of death i.e. the in service death grant

Where an independent registered medical practitioner certifies that, during the period used to determine assumed pensionable pay, you were working reduced contractual hours because of the ill-health which led to death in service, the assumed pensionable pay is calculated on the pay you would have received during that period had you not been working reduced contractual hours.

If the death is as a direct result of an injury or illness caused/contracted while on duty, additional death benefits may be available under the Civil Service Injury Benefit Scheme.

CSPS

Under the Civil Service Pension Scheme, if you die while you are still an active member of the scheme, two benefits can be paid; a lump sum paid to the people you have nominated and pensions for your eligible dependants.

Who can receive the lump sum payment?

The Scheme Administrator (MyCSP) will normally pay it to the person, people, or organisation(s) that you have nominated, but it is paid at the discretion of the Scheme Manager.

How much is the lump sum?

The lump sum amount is worked out in two ways; and the higher of these two amounts is paid to your nominees.

Two times your final pay, less any lump sum payments due (or already paid) from the Civil Service Pension arrangements.

Five times the pension you have built up, less any pension payments already made from the Civil Service Pension arrangements.

CSPS death in service continued

What final pay do you use when you work out the lump sum?

The final pay is usually the pensionable pay you got over the last 12 months ending with your last day of pensionable service, but it can be the pensionable earnings from any of the last 10 full scheme years if this is higher. Pay that is taken from earlier years is adjusted in line with prices.

Who can get a dependant's pension?

There are two types of dependant's pension.

- An adult dependant's pension.
- A child's pension.

When working out a dependant's pension, how much do they get?

They receive a percentage of your pension worked out at your date of death. If you die in service as an active member, your pension gets enhanced as outlined below, before the dependants' pensions are worked out. If you die after taking partial retirement, then your dependant's pensions will not include this enhancement.

How is the enhancement worked out?

This is worked out using your total earned alpha pension. Your earned alpha pension is the pension that comes from your pensionable earnings each year, not from a transferred in pension or any added pension you have bought. This pension amount is multiplied by 10, or the number of years that were left until you would have reached NPA if this is lower (or if you are on a fixed term contract, the end of that contract if earlier). This is then divided by the number of years you were an active member of alpha. The result is the enhancement that will be added to your alpha pension before working out your dependants' benefits.

How much is an adult dependant's pension?

The pension that your dependant will receive is 37.5% of the increased pension. If you were buying added pension with benefits for your dependants, they will also receive 37.5% of the added pension that you would have received.

Are there any reasons why the adult dependant's pension would not be this much?

If your spouse, civil partner, or partner is more than 12 years younger than you, the pension they receive will be reduced.

How much is a child's pension?

There are a few things that can change the amount that gets paid as a pension. These include the number of children who will be receiving a pension, and whether or not there is an adult dependant's pension to be paid.

How much is a child's pension:

- if there is an adult dependant's pension?

When there are one or two children, each child will get a pension equal to 30% of your pension.

If there are more than two children, the total of their pensions will be equal to 60% of your pension, with each of the eligible children receiving an equal share.

- if there is no adult dependant's pension?

When there are one or two children, each child will get a pension equal to 50% of your pension. If there are more than two children, the total of their pensions will be equal to 100% of your pension, with each of the eligible children receiving an equal share.

Eligibility for all previous employers schemes will cease with harmonisation.

What do you mean by “pay assimilation”?

This is the methodology we use to move you onto PS, HMPPS or MOJ pay scales.

See following examples.

Example 1: Pay Assimilation for staff working in roles in the PS where the PO or SC standard working week was 37 hours

We will take your basic annual salary and align it to the same or next highest pay point in the PS pay band where the role you are working in sits. For example if you are working as a PSO, PS band 3 the PS pay scale is as follows:

Band	Pay Point	
3	Min	£23,174
	2	£24,091
	3	£24,801
	4	£26,313
	Max	£28,200

Scenario	PO OR SC salary	PS assimilated salary	Rationale
PO or SC salary has an exact equivalent within the PS pay scale	£24,801	£24,801	You will be placed on pay point 3 as that is the same as your legacy salary
PO or SC salary is within the PS pay scale but no exact equivalent	£25,898	£26,313	You will be placed on pay point 4 - £26,313 as that is the <u>next highest</u> from your legacy salary
PO or SC salary is above the top of the PS pay band into which they are placed	£30,252	£28,200 plus £2,052 pay protection	<p>You will be placed at the max of the band 3 pay scale.</p> <p>The difference between your PO or SC salary of £30252 and the max of the band 3 pay scale 328,200 is</p> <p>$£30,252 - £ 28,200 = £2,052$</p> <p>So you will also receive £2,052 pay protection for 3 years on a mark time erodible basis</p>
PO or SC salary is below the band minimum of the matched role	£22,700	£23,174.	You will be placed on the band minimum - £23,174.

Example 2: Pay Assimilation for staff working in roles in the PS where the PO or SC standard working week was less or more than 37 hours

Change in working hours pay assimilation

To move you to a 37 hour week the following calculation is used: **PO OR SC salary / PO or SC standard working week x 37 hours**

Scenario	PO or SC standard working week	PO or SC salary	Calculation for assimilation to PS pay	Salary for assimilation to PS pay
A	35	£44,987	$£44,987 / 35 \text{ hours} \times 37 \text{ hours} = £47,557.69$	£47,557.69
B	40	£44,987	$£44,987 / 40 \text{ hours} \times 37 \text{ hours} = £41,612.98$	£41,612.98

So if working in a band 6 role - Band 6 pay scale;

6	Min	£41,020
	2	£42,643
	3	£44,371
	4	£46,183
	Max	£49,016

Scenario A pay would be assimilated at the pay band max £49,016

Scenario B pay would be assimilated at pay point 2 £42,643. But because this is less than the original PO or SC salary you will also receive pay protection to make up the difference as follows;

$£44,987 - £42,643 = £2,344$ pay protection for 3 years from point of transfer on mark time erodible basis.

How will pay assimilation work for staff working in HMPPS or MOJ?

To move you to a 37 hour week the following calculation is used: **PO or SC FTE salary PO or SC standard working week hours x 37 hours**. If you are working in an HMPPS pay bands 1 to 5 will you will align to a pay point and therefore you may move to the next highest pay point. If you are working in HMPPS as a band 6 or above, or in an MOJ role, you are likely to align to the same pay you received in your PO or SC. This is because HMPPS pay scales 6 to 11 and MoJ pay scales are open ranges (i.e. they don't have pay points). However, if your PO or SC pay is less than the band minimum you will be moved to the minimum of the pay scale. If your PO or SC pay was higher than the band maximum you will be placed on the band maximum and given marked time erodible pay protection to the value of your PO or SC salary.

I am a part time member of staff. How will pay assimilation work for me?

The assimilation process follows the same method for moving you to a 37 hour week which is; **PO or SC FTE salary / current standard working week hours x 37 hours**

We will then identify the equivalent, or next highest pay point in the PS, MoJ or HMPPS pay band of the role you are working to calculate the FTE annual salary. If your PO or SC pay is less than the band minimum you will be moved to the minimum of the pay scale. If your PO or SC pay was higher than the band maximum you will be placed on the band maximum and given marked time erodible pay protection to the actual value of your PO or SC salary. The part time pay is calculated by using the full-time annual salary divided by the PS standard full-time hours and multiplied by the agreed number of part time hours to be worked each week.

I haven't been matched to a role yet - if a role is confirmed and my salary is assimilated to that role, will my pay be backdated to 26 June 2021?

Staff who are not yet matched to a role will remain on legacy pay until a role is confirmed at which point pay will be assimilated as it has been for all other staff. Any increase in pay due will be backdated to 26 June 2021 or 01 February 2022 for ex User Voice staff.

What if your legacy salary is below the minimum in the pay point? What happens in this scenario? Min salary is 18,596 for band 2 for example. After pay assimilation it way below minimum pay point.

- You are matched to a band 2 case admin role
- Your legacy working week is 37.5 hours
- Your legacy salary is £18,596

Pay assimilation

As there is no direct match to your salary of £ 18,596, which is below the band minimum you will be placed on the band minimum at £18,713, which is slightly more than your legacy salary.
This will be backdated to 26 June 2021.

on assimilation to a 37 hour working week

$$£18,713 / 37.5 = £499.01$$

$$£499.01 \times 37 = £18,463.49$$

pay remains at £18,713 (Band Minimum) - no pay protection required

Note – figures quoted are based on 2021 pay scales and will be subject to increase at 1 April 2022 when PS pay award is implemented.

What if your legacy salary is above the maximum in the pay point? What happens in this scenario?

Matched to pay band 3
Legacy salary £29,000
Legacy working week 35 hours

Assimilation to 37 hours
 $£29,000 / 35 \text{ hours} = £828.57$
 $£828.57 \times 37 = £30,657.14$

So your pay for pay assimilation will be £30,657.14. As this is above the band max of £28,200, the difference of £2457.14 will be pay protected for 3 years from 26 June 2021 on a mark time erodible basis.

Note – figures quoted are based on 2021 pay scales and will be subject to increase at 1 April 2022 when PS pay award is implemented.

Staff Exit – EVR

Where can I find the EVR terms for the agency that I would be leaving once harmonised if different to those of the Probation Service or will they be the same?

Anyone exiting on EVR will be exit on PS terms. It is proposed the scheme will mirror the terms offered to ex CRC staff namely redundancy compensation will be paid, subject to a maximum of 67.5 weeks' pay and reckonable service of 15 complete years, as follows - Four and a half weeks' pay for each year of completed service. Any statutory redundancy payment will be included in the compensation payable

Will my existing notice periods, if longer, be honoured and I harmonise and take EVR and will PILON apply?

No if harmonisation is agreed you will move onto PS Notice Periods.

In the event of my choosing to take EVR will all my service (previous NPS, CRC, Parent Organisation or Supply Chain) be honoured as continuity of service?

Yes, continuity of service will be honoured.

If we don't get agreement to harmonise from the ballot, can I still apply for EVR?

No, EVR is dependent on harmonisation being agreed. If harmonisation is not agreed, we may run some VR schemes, but they will be on formal contractual terms.

Although I was placed into a role, as my previous role was graded higher than the Probation / MOJ role will I be entitled to apply for EVR?

That will depend on the eligibility rules for the scheme which are yet to be finalised.

What next?

How will we know the outcome?

The Trade unions will announce the outcome in the first instance. We will follow this up via the Welcome Hub.

What will happen if the majority of only 1 or 2 unions vote to accept the offer?

To reach agreement we need agreement from all 3 Trade Unions - if this does not happen we will resume discussions with the Trade Unions.

If agreement is reached, when will all changes be in place?

We are aiming for all changes to be in place by the end of November 2022

Where can I find more information?

Further information can be found on the hub [Harmonisation – Welcome Hub \(hmppsintranet.org.uk\)](https://hmppsintranet.org.uk) If you are a trade union member, you can reach out to them for queries. Alternately, further queries can be sent to the functional mailbox