



Harmonisation: Opt-in exercise

Line Managers of impacted staff

November 2022

How did we get here?

Following the outcome of the TU negotiations and the harmonisation ballot, both sides have agreed the proposals which were put to members in the recent ballot were the best achievable by negotiation. There is no intention to re-open talks.

Therefore, we have agreed to run an individual opt in exercise for staff in scope to be harmonised if they wish to do so.

This session has been scheduled to give managers of impacted staff an overview of the process, key information and the opportunity to ask any questions to help you support your staff.

Further sessions have been scheduled for impacted staff over the course of the exercise.

What does it mean? Former PO or SC staff

If your staff **opt-in**, they will:

- Move onto Probation Service, HMPPS or MoJ pay
- Receive the relevant Probation Service, HMPPS or MoJ pay award. Staff on PS terms will become in scope for CBF.
- Move onto Probation Service annual, family and special leave entitlements
- Be entitled to Probation Service pay allowances and travel and subsistence rates
- Have potential access to future EVR schemes



If your staff **don't opt-in**, they will:

- Stay on legacy pay
- Where an individual does not opt-in they will not be eligible for the relevant PS, HMPPS or PS pay award, however, where their previous employment contract stipulates that pay is subject to review, or their pay falls below the legal minimum, their pay will be reviewed annually. This may or may not result in an increase.
- Stay on your legacy annual, family and special leave entitlements
- Stay on legacy pay allowances and travel and subsistence rates
- Have no access to EVR schemes

What does it mean? Former CRC staff working in MoJ or HMPPS

If your staff **opt-in**, they will:

- Move onto HMPPS or MoJ pay
- Receive the relevant HMPPS or MoJ pay award



If your staff **don't opt-in**, they will:

- Stay on Probation Service temporary pay assimilation
- Be in scope for Probation Service pay award
- Remain on Probation Service pay allowances and travel and subsistence rates

Harmonisation does not impact on your pension or result in full alignment to MoJ or HMPPS terms.

Harmonisation Opt-in Journey

Audience	Current status for Pay T's & C's	Opting in – Alignment to Probation Service T's&C's & PS, HMPPS or MOJ Pay scales*	No Opt-in
Parent Org & Supply Chain staff working in Probation Service	Aligned to legacy pay, Ts & Cs.	Alignment of pay to PS payscales and Ts&Cs **.	Remain aligned to legacy pay, Ts & Cs.
CRC Staff working in HMPPS or MoJ	<div style="border: 2px dashed red; padding: 5px;"> Terms and Conditions aligned to PS as part of National Agreement 26th June 2021 Staff are temporarily assimilated to PS pay scales </div>	Pay will be assimilated to HMPPS or MOJ **. You will remain on PS Ts&Cs	Remain temporarily assimilated to PS pay scales and aligned to PS T&Cs
Parent Org & Supply Chain staff working in HMPPS or MoJ	Aligned to legacy pay, Ts & Cs.	Pay will be assimilated to HMPPS or MOJ **. You will be aligned to PS Ts&Cs	Remain aligned to legacy pay scales, Ts & Cs.

Harmonised pay and some agreed terms will be backdated to **26 June 2021** or **01 Feb 2022** for User Voice

*Subject to opting in

Staff who **do not have a substantive role confirmed at the time of opt-in will be given an option to defer their decision

Opt-in exercise – key dates

Date	Activity
(Anticipated to be) 9 November 2022	Letters issued by SSCL via email
9 November – extended to 12:00 on Monday 09 December 2022	Opt-in window. Any staff wishing to opt in to the Harmonisation Agreement will need to do so by the deadline.
31 January 2023	Pay updates implemented by SSCL

What information will be in the letter?

Former CRC

- Details of pay assimilation including role, band and salary as of 26th June 2021 or 1st February 2022 for ex User Voice staff
- Pay protection
- Opt-in details

Former PO/SC

Pay harmonisation

- Hours of work
- Details of pay assimilation including role, band and salary as of 26th June 2021 or 1st February 2022 for ex User Voice staff
- Allowance details
- Pay protection

Terms and conditions

- Confirmation of PS Ts & Cs including leave entitlements and expense rates
- Opt-in details

Staff who are not currently aligned to a band / grade in the organisation will have the option to defer until early in the new year. Staff who wish to defer will need to respond to the letter selecting the deferral option.

Window for deferral

- Any staff who do not, at the time of the opt-in exercise, have a substantive role will be given an option to defer opting in until **February 2023**.
- This is to allow more time for the organisation to work with staff members to find a suitable role.
- HR teams, line managers and business leads will continue to work with staff during this time to find a suitable role.

Harmonisation – New roles & leavers

What happens if someone accepted a new role through fair and open competition in PS, HMPPS or MoJ before the opt in exercise?

They still need to opt in if they wish to claim any monies owed, however by accepting the new role, staff are agreeing to be on their new pay and terms, so any calculation of monies owed will only take into account the time up until when they started the new role. SSCL will automatically calculate changes in pay between the date they transferred in and the date they started their new role. This will be based on the original role alignment. Staff opting in who would have been due any additional backpay will receive any monies due in January 2023 if they choose to opt in.

What happens where staff leave after the 28th September 2022?

They will still be eligible to opt-in and receive any monies owed. If they leave before opt in letters are received, then they will need to notify their intent. Guidance on how to do that can be found [here](#).

For any staff who have left the organisation before 28th September there will be no opportunity to opt into Harmonisation. Therefore, these staff are not in scope.

Manager's Guidance – the exercise

What can managers do to support impacted staff with the exercise?

- Allow time for staff to read letters and make informed decisions
- Make sure the opt in window is communicated
- Ensure SOP details are up to date (including staff members personal email addresses)
- Signpost to [Probation Hub](#) for more information on the Harmonisation agreement and Q&As
- Remind staff of the mailbox for additional questions



What should managers do where an impacted staff member is absent?

- Ensure any staff out of the business i.e. maternity leave or sickness are aware of the letters and ensure that their SOP contact details are up to date

If a letter hasn't been received, ensure staff inform the following mailbox – HandSTenquiries@justice.gov.uk

Manager's Guidance – What do I need to do if I manage staff who do not opt in?

Former CRC staff in MoJ/HMPPS functional roles

- Pay, terms and conditions will remain aligned to the Probation Service
- PS multi-year pay deal and updates will be applied automatically
- PS annual leave, time off, travel and subsistence rates will apply.



You can find links to the relevant policies in the annex

Manager's Guidance – What happens for staff who do not opt in?

Former Parent Organisation or Supply Chain staff



- Staff will remain on legacy employers' **pay rates**. Any MoJ, HMPPPS or PS pay offers will not impact this group, unless your staff were unmatched and have deferred to opt in at a later date.
- Staff will remain on **legacy employers' terms and conditions**. You will need to determine which company your staff transferred in from and refer to the relevant measures statement. You will be able to find relating policies and information at the link provided. [Transferring organisations - HMPPS Intranet \(gsi.gov.uk\)](#)
- Staff will **not automatically be entitled to any future pay offers**. Where an individual does not opt-in they will not be eligible for the Probation Service multi-year pay deal, however, where their previous employment contract stipulates that pay is subject to review, or their pay falls below the legal minimum their pay will be reviewed annually. This may or may not result in an increase.

Manager's Guidance – Post opt-in

What do I need to do when staff opt in? Which guidance do I follow?

- PS Guidance – links to relevant policies can be found within the annex.
- **Re-calculate leave allowance** where appropriate including any additional leave (leave year for PS begins 26th June 2021. (If legacy leave entitlements exceed the PS entitlements, staff can keep their legacy leave until 28 February 2023. From **1 March 2023** the PS annual leave entitlements will apply without exception).
- Staff will move to a **37 hour** standard working week from the **1st January 2023**. Where staff had a previous standard working week of less than 37 hours the business are asked to look favourably on any requests from staff to reduce their hours back down to legacy hours. Anybody working less than 37 hours per work who were deemed as part time by their previous employer, will continue on their part time hours.
- Staff will be eligible for **Competency Based Framework** pay progression if working within the PS.

Will CBF apply to staff who opt-in and work in the Probation Service?



Find out more about CBF here:
[Competency based framework \(CBF\)
\(sharepoint.com\)](https://sharepoint.com)

• What is CBF?

- The competency based framework (CBF) is the mechanism for eligible staff on Probation Service terms and conditions to move up one pay point within their pay band each year.
- Staff and their managers will choose a competence level at the start of the competence year (running from 1 April to 31 March) and staff will record competence examples from their everyday activities during that year.
- Staff will need to engage with CBF each year to continue to pay progress, until they reach the top of their pay band.

- Staff who opt-in to PS T's&C's **will be eligible for CBF pay progression** on 1 April 2023.
- They will be able to draw on examples of competence from the full year from 1 April 2022.
- As long as, on 31 March 2023, they aren't at the top of their pay band, are up to date with all statutory training, and aren't subject to a formal poor performance processes/ a conduct or disciplinary outcome which prevents pay progression, they'll be able to pay progress on 1 April 2023 using these examples.

What next?

- Staff who opt-in should talk to their line manager about agreeing a competence level and opening a CBF record as soon as they assimilate onto PS terms.
- You should make sure any impacted team members are aware that they can draw on work from April 2022 onwards, and start agreeing examples with them.

There is more work to do to understand how CBF will apply to staff in other positions – we will share more information with these groups as we are able.



Engagement and drop in sessions

We are running staff sessions to allow the opportunity to ask any further questions on the exercise. Sessions will be on the following dates:

Audience	Date	Time
Line Managers/HR/Stakeholders Click here to join the meeting	Thursday 3 rd November 2022	1.00pm – 2.00pm
Former PO/SC staff Click here to join the meeting	Wednesday 9 th November 2022	1.00pm – 2.00pm
Staff who do not have a substantive role confirmed at opt-in	Wednesday 9 th November 2022	3.30pm – 4.30pm
Former CRC staff Click here to join the meeting	Thursday 10 th November 2022	3.00pm – 4.00pm
Former PO/SC staff Click here to join the meeting	Tuesday 15 th November 2022	11.00am – 12.00pm

What happens next?

- Following closure of the opt-in exercise, SSCL will implement changes due for January 2023 salaries.
- We will be issuing guidance for managers to signpost and direct to policies applicable to staff who opt in and those who choose not to opt in.
- If you have any further queries throughout the process you can view information and our updated FAQs on the Probation Hub [here](#).
- Teams' session chat will close down following the call. You can contact us via the handstenquiries@justice.gov.uk mailbox or alternatively attend one of the other sessions scheduled.

ANNEX 1

HMPPS Policy Links

- HMPPS Intranet - PI 2017-05 Annual Leave [PI 2017-05 - HMPPS Intranet \(gsi.gov.uk\)](#)
- HMPPS Intranet - PI 2017-08 Maternity Leave [PI 2017-08 - HMPPS Intranet \(gsi.gov.uk\)](#)
- PI 2017-07 - Paternity/Maternity Support Leave [PI 2017-07 - HMPPS Intranet \(gsi.gov.uk\)](#)
- HMPPS Intranet - PI 2017-10 Special Leave [PI 2017-10 - HMPPS Intranet \(gsi.gov.uk\)](#)
- HMPPS Intranet – PI 2017-06 – Career Break Scheme [PI 2017-06 - HMPPS Intranet \(gsi.gov.uk\)](#)
- HMPPS Intranet – PI 2015-17 – Travel and Subsistence [PI 2015-17 - HMPPS Intranet \(gsi.gov.uk\)](#)
- The [Permanent Transfer Policy \(PI 24-2015\)](#) and [Travel & Subsistence Policy PI 15-2017](#)
- [Her Majesty's Prison and Probation Service | Long Service awards \(HMPPS Connect\) \(sscl.com\)](#)