



### **3.0 BACKGROUND AND CONTEXT**

- 3.1 Following a period of prolonged pay settlement negotiations COSLA issued the Industrial Relations Circular 02-23 on 3 November. This advised that an uplift from 1.4.23 should be implemented and backdated as soon as possible. There is a second uplift proposed for some pay grades from 1.1.24. Backdating of this secondary uplift was not yet included by COSLA, with a further circular planned in relation to this. If the Council waited for this circular backdating would not be completed in time for the December pay and would be unlikely to be within the January pay (the latter due to leave over the Christmas period). In order that payment of backdated pay could be made to employees in the 6 December pay the use of Emergency Powers was required to allow time for Payroll processing. Further detail is provided in the attached report (Appendix 1).
- 3.2 The use of these Emergency Powers was authorised by the Chief Executive following consultation with Councillor McCabe, Councillor McCluskey and Councillor Robertson, as the Convenor, Vice-Convenor and Leader of the largest non-administration party on the Policy & Resources Committee respectively.
- 3.3 The Living Wage is an independently calculated rate based on the cost of living and is paid voluntarily by employers. Inverclyde Council has Living Wage accreditation which requires that all directly employed members of staff aged 18 or over are paid at least the real Living Wage. Apprentices are not within the scope of the accreditation.
- 3.4 The Living Wage rates are updated annually in November and should be implemented by employers by the beginning of May the following year. The new rate of £12.00 per hour has recently been announced. The Scottish Local Government Living Wage is £11.89 per hour from April 2023. The Council implemented a revised pay and grading model on 1st April 2019 and it was agreed at that time that the annually revised Living Wage rates would be implemented from 1 April the following year. Inverclyde Council has however previously implemented the new rate early. In 2022 the Policy and Resources Committee agreed that the new annual rate should commence from the November 2022 pay run. This early implementation was noted as being for one year only due to exceptional circumstances, i.e. the cost of living crisis. The estimated cost of £25,000 was to be contained within 2022/23 service budgets. Analysis has been undertaken of the costs of implementation of the latest increase from November 2023 for the 423 impacted posts. After considering the pay settlement, this would be approximately £10,000. On the basis that the cost of living is still negatively impacting employees it is recommended that this year's increase is implemented from November 2023.

### **4.0 PROPOSALS**

- 4.1 It is proposed that the Committee:
  - (i) note that the Chief Executive used their powers under the Scheme of Delegation (Officers) to agree that delegated authority be granted to the Interim Head of Service for Organisational Development, Policy & Communications in order to immediately implement the pay increase agreed by COSLA Leaders on 3 November 2023 for including in the 6 December 2023 pay to all SJC/Chief Officer employees;
  - (ii) agree that the new Living Wage rate will be implemented from November 2023; and
  - (iii) agree that going forward the Committee will consider the implementation of future changes in the Living Wage rate annually.

### **5.0 IMPLICATIONS**

5.1 The table below shows whether risks and implications apply if the recommendation(s) is(are) agreed:

SUBJECT	YES	NO
Financial	x	
Legal/Risk		x
Human Resources		x
Strategic (Partnership Plan/Council Plan)	x	
Equalities, Fairer Scotland Duty & Children/Young People's Rights & Wellbeing		x
Environmental & Sustainability		x
Data Protection		x

## 5.2 Finance

The the implications of the action taken under delegated authority are set out in Appendix 1.

### One Off Costs

Cost Centre	Budget Heading	Budget Years	Proposed Spend this Report	Virement From	Other Comments
Various	Employee Costs	2023/24	£10 000		Services would contain costs within their overall employee budgets

### Annually Recurring Costs/Savings

Cost Centre	Budget Heading	Budget Years	Proposed Spend this Report	Virement From	Other Comments
N/A					

## 5.3 Legal/Risk

There are no legal risks/implications arising from this report but the implications of the action taken under delegated authority are set out in Appendix 1.

## 5.4 Human Resources

There are no human resources implications arising directly from this report , but the implications of the action taken under delegated authority are set out in Appendix 1.

## 5.5 Strategic

Living Wage accreditation supports delivery of the Council Plan outcomes *Gaps in outcomes linked to poverty are reduced and More people will be in employment, with fair pay and conditions.*

## **6.0 CONSULTATION**

6.1 The Trade Unions and Corporate Management Team were consulted on the actions taken under delegated authority.

## **7.0 BACKGROUND PAPERS**

7.1 None

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<b>Report To:</b>	<b>Chief Executive</b>	<b>Date:</b>	<b>8 November 2023</b>
<b>Report By:</b>	<b>Interim Head of OD, Policy and Communications</b>	<b>Report No:</b>	
<b>Contact Officer:</b>	<b>Morna Rae</b>	<b>Contact No:</b>	<b>01475 712042</b>
<b>Subject:</b>	<b>Use of Delegated Powers to Implement 2023/24 Pay Increase and Backdating</b>		

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## 1.0 PURPOSE AND SUMMARY

1.1  For Decision  For Information/Noting

1.2 The purpose of this report is to request the delegation of authority to the Interim Head of Service for OD, Policy and Communications, under the Emergency Powers provisions of the Scheme of Delegation (Officers), to implement the 2023/24 pay offer agreed by COSLA Leaders and associated backdating in time for inclusion in the Council's final pay run before Christmas.

1.3 This request goes beyond the COSLA Industrial Relations Circular 02-23 which reflects the offer prior to the decisions of COSLA Leaders on 3 November. COSLA have confirmed their intention to issue a new circular reflecting the payments sought in this Emergency Powers request after the result of the UNISON Ballot which closes 20 November. However, it will not be possible for Payroll to meet the timescales for inclusion of the backdated pay in the 6 December pay if officers await the new circular.

## 2.0 RECOMMENDATION

2.1 It is recommended that the Interim Head of Service for OD, Policy and Communications is delegated authority to:

- Implement immediately the pay increase agreed by COSLA Leaders on 3 November for inclusion in the 6 December pay to all SJC/Chief Officer employees.

**Ruth Binks**  
**Corporate Director - Education, Communities and Organisational Development**

**3.0 BACKGROUND AND CONTEXT**

- 3.1 The use of Emergency Powers is recommended in order to provide sufficient time for the Payroll processing of the backdated pay associated with the 2023/24 award agreed by COSLA Leaders for inclusion in the December 2023 pay.
- 3.2 Following a period of prolonged pay settlement negotiations COSLA issued the Industrial Relations Circular 02-23 on 3 November. This is attached at Appendix 1. This advised that an uplift from 1.4.23 should be implemented and backdated as soon as possible. There is a second uplift proposed for some pay grades from 1.1.24. Backdating of this secondary uplift to 1.4.23 is not yet included by COSLA as UNISON are balloting on this aspect with the ballot closing on 20 November. A further circular on this second aspect of backdating is scheduled to be issued following the result of the UNISON ballot.
- 3.3 Whilst COSLA are requesting a two stage approach to this backdating they note that some local authorities may wish to process the full backdate now. From informal consultation with other local authorities it is understood that the majority are currently following the circular and are undertaking this in two stages. Inverclyde Council are therefore taking a different approach to many other areas. There is a COSLA and trade union objective that backdating of at least the 1.4.23 uplift is paid before Christmas. Not all local authorities will be able to fulfil this.
- 3.4 It is proposed that Inverclyde Council implement the 1.1.24 pay grades backdated to 1.4.23 with immediate effect. This would mean that payment would be made in the 6 December 2023 pay.
- 3.5 If the Council waited until the UNISON ballot closes and the results are known the 1.1.24 rates backdating would not be completed in time for the December pay and would be unlikely to be within the January pay (the latter due to leave over the Christmas period).
- 3.6 There are risks in early implementation of the backdate. The Council may not receive the further circular on the 1.1.24 backdating in advance of the Payroll activation of the pay run on 30 November. UNISON may not agree this aspect of the pay settlement following the ballot and COSLA Leaders will require to confirm next steps in this eventuality. On the basis that GMB and UNITE have already agreed the pay settlement and UNISON are recommending their members accept it this risk is perceived as low. In the event that UNISON do not agree then COSLA may decide to proceed with implementation of the pay settlement.
- 3.7 This relates to SJC Council employees as well as Chief Officers. The Industrial Relations Circular 11-23b for Chief Officers was issued on 6 November. This agreement was made on the basis of “no better, no worse” than within the other bargaining spaces. A consistent approach to the backdating would therefore be taken for Chief Officers pay. This pay settlement does not apply to teachers.

**4.0 PROPOSALS**

- 4.1 It is proposed that Inverclyde Council immediately implements the pay increase agreed by COSLA Leaders for inclusion in the 6 December pay to all SJC/Chief Officer employees.

**5.0 IMPLICATIONS**

- 5.1 The table below shows whether risks and implications apply if the recommendation(s) is(are) agreed:

<b>SUBJECT</b>	<b>YES</b>	<b>NO</b>
Financial		X

Legal/Risk	X	
Human Resources		X
Strategic (Partnership Plan/Council Plan)	X	
Equalities, Fairer Scotland Duty & Children/Young People's Rights & Wellbeing		X
Environmental & Sustainability		X
Data Protection		X

## 5.2 Finance

### One off Costs

Cost Centre	Budget Heading	Budget Years	Proposed Spend this Report	Virement From	Other Comments
N/A					

### Annually Recurring Costs/ (Savings)

Cost Centre	Budget Heading	With Effect from	Annual Net Impact	Virement From (If Applicable)	Other Comments
N/A					

## 5.3 Legal/Risk

There are risks in early payment of the backdating as detailed in the report. These are rated as low.

## 5.4 Human Resources

There are direct no human resources implications arising from this report but the earlier payment of the backdated pay aims to have a positive impact on employee wellbeing.

## 5.5 Strategic

The matters referred to in this report are of relevance to the following Council Plan 2023/28 Theme:

### Theme 3: Performance

- Our employees are supported and developed.

## 6.0 CONSULTATION

6.1 The Corporate Management Team have been consulted on this proposal and agree with the action proposed.

## 7.0 BACKGROUND PAPERS

7.1 None.





3 November 2023

**Industrial Relations Circular 02-23**

2023 IR 11.23

**SJC Pay Settlement FY2023/24 – SJC Pay Uplift 2023**

Dear Chief Executive

At a meeting of Leaders on 3 November 2023 it was agreed to implement the pay offer made on 21 September 2023 with immediate effect.

From 1 April 2023

- For employees paid the Scottish Local Government Living Wage and National Spinal Column Points (SCP) 19 to 23: an increase in the hourly rate of £1.04.
- For employees on all other SCP an increase in the hourly rate of £1.00 or a 5.5% increase in their pay, whichever is worth more.

From 1 January 2024

- At any SCP where the 1 January 2024 hourly rate in the offer made on 3 April 2023 is greater than the hourly rate effective from 1 April 2023 will receive a further uplift to achieve the full rate in the 3 April 2023 offer. Please see appendix 2 for detail of the 3 April offer.

Leaders request the uplift and back pay is made as soon as practicably possible.

**Appendix 1** shows the SCP in effect during the financial year 2022/23 with the uplifted SCP effective from 1 April 2023.

**Appendix 2** shows, for reference, and to aid in the calculation of the uplifts to apply the basic SJC offer made on 3 April 2023.

Yours sincerely,

  
Simon Cameron  
Chief Officer COSLA Employers Function

COSLA Workforce and Corporate Policy Team  
February 2023

## SJC Spinal Column Points

SCP	Hourly Rate FY 2022/23	Hourly Rate Effective 1/4/23	Hourly Rate Effective 1/1/24
2	£8.91	£9.95	£9.95
3	£9.01	£10.05	£10.05
4	£9.13	£10.17	£10.17
5	£9.26	£10.30	£10.30
6	£9.35	£10.39	£10.39
7	£9.45	£10.49	£10.49
8	£9.57	£10.61	£10.61
9	£9.70	£10.74	£10.74
10	£9.81	£10.85	£10.85
11	£9.93	£10.97	£10.97
12	£10.07	£11.11	£11.11
13	£10.19	£11.23	£11.23
14	£10.31	£11.35	£11.35
15	£10.44	£11.48	£11.48
16	£10.59	£11.63	£11.63
17	£10.71	£11.75	£11.75
18	£10.82	£11.86	£11.86
SLGLW	£10.85	£11.89	£11.89
19	£10.98	£12.02	£12.02
20	£11.11	£12.15	£12.15
21	£11.25	£12.29	£12.29
22	£11.41	£12.45	£12.45
23	£11.55	£12.59	£12.59
24	£11.70	£12.70	£12.70
25	£11.81	£12.81	£12.81
26	£11.96	£12.96	£12.96
27	£12.11	£13.11	£13.11
28	£12.26	£13.26	£13.26
29	£12.42	£13.42	£13.42
30	£12.59	£13.59	£13.59
31	£12.76	£13.76	£13.76
32	£12.88	£13.88	£13.88
33	£13.09	£14.09	£14.09
34	£13.25	£14.25	£14.26
35	£13.45	£14.45	£14.47
36	£13.61	£14.61	£14.65
37	£13.80	£14.80	£14.85
38	£13.98	£14.98	£15.05

SCP	Hourly Rate FY 2022/23	Hourly Rate Effective 1/4/23	Hourly Rate Effective 1/1/24
39	£14.15	£15.15	£15.23
40	£14.33	£15.33	£15.43
41	£14.36	£15.36	£15.46
42	£14.52	£15.52	£15.63
43	£14.78	£15.78	£15.91
44	£14.96	£15.96	£15.96
45	£15.17	£16.17	£16.17
46	£15.36	£16.36	£16.37
47	£15.58	£16.58	£16.61
48	£15.80	£16.80	£16.84
49	£16.02	£17.02	£17.07
50	£16.24	£17.24	£17.31
51	£16.45	£17.45	£17.53
52	£16.69	£17.69	£17.78
53	£16.91	£17.91	£18.03
54	£17.16	£18.16	£18.29
55	£17.38	£18.38	£18.52
56	£17.64	£18.64	£18.80
57	£17.88	£18.88	£19.05
58	£18.13	£19.13	£19.33
59	£18.40	£19.41	£19.61
60	£18.65	£19.68	£19.87
61	£18.93	£19.97	£20.18
62	£19.15	£20.20	£20.41
63	£19.47	£20.54	£20.75
64	£19.71	£20.79	£21.01
65	£20.00	£21.10	£21.21
66	£20.26	£21.37	£21.48
67	£20.57	£21.70	£21.82
68	£20.86	£22.01	£22.12
69	£21.14	£22.30	£22.42
70	£21.44	£22.62	£22.74
71	£21.75	£22.95	£23.07
72	£22.07	£23.28	£23.40
73	£22.20	£23.42	£23.54
74	£22.53	£23.77	£23.90
75	£22.88	£24.14	£24.26
76	£23.21	£24.49	£24.61
77	£23.54	£24.83	£24.97
78	£23.93	£25.25	£25.38
79	£24.28	£25.62	£25.74

SCP	Hourly Rate FY 2022/23	Hourly Rate Effective 1/4/23	Hourly Rate Effective 1/1/24
80	£24.64	£26.00	£26.13
81	£25.01	£26.39	£26.52
82	£25.37	£26.77	£26.91
83	£25.77	£27.19	£27.33
84	£26.17	£27.61	£27.75
85	£26.54	£28.00	£28.15
86	£26.92	£28.40	£28.55
87	£27.32	£28.82	£28.98
88	£27.76	£29.29	£29.44
89	£28.18	£29.73	£29.89
90	£28.57	£30.14	£30.30
91	£29.01	£30.61	£30.76
92	£29.46	£31.08	£31.24
93	£29.89	£31.53	£31.69
94	£30.37	£32.04	£32.21
95	£30.79	£32.48	£32.65
96	£31.25	£32.97	£33.14
97	£31.73	£33.48	£33.65
98	£32.17	£33.94	£34.12
99	£32.70	£34.50	£34.68
100	£33.14	£34.96	£35.15
101	£33.66	£35.51	£35.69
102	£34.16	£36.04	£36.23
103	£34.65	£36.56	£36.74
104	£35.21	£37.15	£37.34
105	£35.71	£37.67	£37.88
106	£36.28	£38.28	£38.47
107	£36.83	£38.86	£39.06
108	£37.39	£39.45	£39.65
109	£37.93	£40.02	£40.23
110	£38.49	£40.61	£40.81
111	£39.08	£41.23	£41.44
112	£39.65	£41.83	£42.05
113	£40.25	£42.46	£42.68
114	£40.87	£43.12	£43.34
115	£41.50	£43.78	£44.02
116	£42.11	£44.43	£44.66
117	£42.71	£45.06	£45.30
118	£43.39	£45.78	£46.02
119	£44.01	£46.43	£46.67
120	£44.67	£47.13	£47.37

SCP	Hourly Rate FY 2022/23	Hourly Rate Effective 1/4/23	Hourly Rate Effective 1/1/24
121	£45.34	£47.83	£48.09
122	£46.00	£48.53	£48.78
123	£46.67	£49.24	£49.49

## **Appendix 2 – Offer Made on 3 April 2023**

For reference and to aid in the calculation of the uplifts to apply the basic SJC offer made on 3 April 2023 is copied below.

Effective from 1 April 2023

- A 5% uplift on all Spinal Column Points (SCP)

Effective from 1 January 2024

- An additional £0.45 on SCP2 to SCP18 and the underpinning Scottish Local Government Living Wage rate. This will raise the SLGLW by £0.99 over the course of the financial year.
- An additional 2.5% on SCP19 to SCP43.
- An additional 1.5% up on SCP44 to SCP64.
- An additional 1% on SCP 65 and above.