

Date	Source	Relevant Text
22/09/2014 to 02/10/2014	From Caledonian Maritime Assets Ltd (red) and Finance Pay Policy	<p>Do you have staff currently earning or pay ranges below £14,975 per annum?</p> <p>Yes</p> <p>If yes, will all staff will be paid at least £14,975 per annum and that all pay range minima are at least £14,975 as part of the proposed pay settlement?</p> <p>No</p> <p>One member of staff who was employed on Modern Apprentice terms and just been taken on the CMAL payroll permanently and is now in a training role</p> <p>There is no one in Band A – do you wish to retain this Grade? Because there would be a problem if you were to recruit to it as the employee is likely to be below the Scottish Living Wage (SLW) and this would breach PSPP.</p> <p>We would prefer to retain this grade as we may have further appointments of Modern Apprenticeships in this grade</p> <p>The proposed (potentially incorrect) Band B minimum is £14,546 – this is below the £14,975 in the pay policy for the min salary reflecting the SLW; on the basis of the 37.5 conditioned hours, this works out as £7.43 which is below the SLW hourly rate (£7.65) in 2014-15. And you have one FTE at the min. We would expect the min to be £14,975 on the basis of 37.5hrs a week. Can you consider amending?</p> <p>The Band B minimum has been adjusted to match the Scottish Living Wage and the salary scale adjusted accordingly.</p>
16/09/2015 29/09/2015 and 26/10/2015	Exchanges between Caledonian Maritime Assets Ltd (red) and Finance Pay Policy Team	<p>Scottish Living Wage – you list £61, but it is £91 – maybe just a typo (need to change in the CE Foreword of Business Case too). Yes, we agree this will be changed.</p> <p>I have amended the pay-remit schedules to reflect the adjustment to the Scottish Living Wage</p>
29/09/2016 to 28/10/2016	Exchanges between Caledonian Maritime Assets Ltd (CMAL) and Finance Pay Policy Team (FPP)	<p><u>FPP 29/09/2016:</u></p> <p><u>Modern Apprentices (MAs) – and the SLW</u></p> <p>The Pay Policy encourages MAs to be paid – see para 2.38 of the Technical Guide. Could you provide a bit more of an explanation as to why the MA is not being paid the SLW?</p> <p>-----</p> <p><u>CMAL: 10/10/2016:</u></p> <p><u>Modern Apprentice</u></p> <p>MA is being paid the National Minimum Wage as provided for in the technical guide. Paying the Scottish Living Wage to the MA would mean little differentiation between MA position and next staff grade.</p> <p>Costings have been adjusted to show MA salary increased to NMW as at 1 October 2016 and the excess of £90 over the basic £400 low wage award is shown separately on the costings sheet.</p>

Date	Source	Relevant Text
29/09/2016 to 28/10/2016	Exchanges between Caledonian Maritime Assets Ltd (CMAL) and Finance Pay Policy Team (FPP) (continued)	<p><u>FPP 29/09/2016:</u></p> <p><u>Modern Apprentices (MAs) – and the SLW</u> The Pay Policy encourages MAs to be paid – see para 2.38 of the Technical Guide. Could you provide a bit more of an explanation as to why the MA is not being paid the SLW?</p> <p>-----</p> <p><u>CMAL: 10/10/2016:</u></p> <p><u>Modern Apprentice</u> MA is being paid the National Minimum Wage as provided for in the technical guide. Paying the Scottish Living Wage to the MA would mean little differentiation between MA position and next staff grade. Costings have been adjusted to show MA salary increased to NMW as at 1 October 2016 and the excess of £90 over the basic £400 low wage award is shown separately on the costings sheet.</p> <p>-----</p> <p><u>FPP: 25/10/2016:</u></p> <p><u>Modern Apprentice</u> Noted. How long is the training for this MA? When they finish their training will they be kept on and if so, in what grade? Are they currently doing the work of staff in the B grade at the moment? If they are not doing (or won't end up doing) the work of the next grade that's fine.</p> <p>-----</p> <p><u>CMAL: 28/10/2016:</u></p> <p>Modern Apprentice – Training is for 1 year. To be kept on depends on completion of training and level of performance in the role. I confirm that they are not doing the work of staff in the B grade.</p>
13/07/2017	To: Caledonian Maritime Assets Ltd	<p>The minima for new grades 1, 2 and 3 are all below the Scottish Living Wage (SLW). Probably not an issue for the MAs, but irrespective of whether there is anybody in those grades at or near that minima, could these be at or above the SLW?</p> <p><i>[FPP note 10 /08/2017: This is FPP's preliminary comments on CMAL's draft proposals – work is on-going]</i></p>
11/11/2016	To: Highlands and Islands Airport Ltd	<p>The issue came to light when the pay policy required the low pay measures to apply to base pay only when a number of public bodies were applying this to base pay and allowance. The issue was that someone's pay may be below the SLW, but with the allowance takes it above it, or their base pay + allowance would take them above the £21k (at that time) and so the public body argued that they did not need to pay them the low pay measures. So the issue went to the SG Remuneration Group (RG) who determined that the low pay measures should be based on base pay.</p> <p><i>[Note 10/08/2016: FPP provided the above explanation on the impact of allowances on base pay in response to a technical query from HIAL on the need to apply low pay measures to staff who had had their allowances consolidated].</i></p>

Date	Source	Relevant Text
29/04/2016	From: Highlands and Islands Enterprise	We have also ensured that we pay the Scottish Living wage policy requirement of £16,150 (hourly rate of £8.25). Adjustments were made in year in consultation with the pay policy team. This is in line with HIE's accreditation as a Living Wage Employer.
04/12/2014	Exchanges between National Galleries Scotland and Finance Pay Policy	<p><u>NGS:</u> Can you advise on the statement below regarding the minimum wage that has to be paid to Modern Apprentices? The statement says that they have to be paid the adult level of the minimum wage, but there are several different rates for the minimum wage, and I am not sure which one we would use if we decided to employ a Modern Apprentice. If you could advise which rate we would use that would be helpful.</p> <p><i>"Technical Guides have not, to date, provided specific guidance on the payment of the Living Wage to Modern Apprentices and interns. The Scottish Government Finance Pay Policy (FPP) team has provided advice on a case-by-case basis highlighting that the key driver is to ensure nothing impedes on delivering the Government target for the number of Modern Apprentices. The rates of pay for such individuals remains a matter for individual public bodies on the understanding that they are paid at least the adult level of the National Minimum Wage."</i></p> <hr/> <p><u>FPP:</u> The adult rate for 2014 is £6.50 per hour. This is the minimum rate we would expect you to pay. For 2015-16, the pay policy will encourage payment at the Scottish Living Wage rate but not require it.</p>
22/03/16 To 07/04/2016	Exchanges between National Galleries Scotland (red) and Finance Pay Policy Team	<p><u>Scottish Living Wage</u> I note that you implemented the increase early. This decision was taken in order to remain compliant with minimum wage regulations as we have an ongoing contractual matter you are aware of relating to Ts&Cs and 42h v 37h contracts. The same scenario already lies in wait next year unless we can somehow resolve this complex issue; preferably with assistance from Sco Gov.</p>
26/07/2016 and 09/09/2016	Exchanges between National Galleries of Scotland (NGS) and Scottish Government. Sponsor Team (ST). Finance Pay Policy (FPP)	<p><u>NGS: 03/08/2016:</u> After [redacted] pay negotiating committee meeting with the 3 TUs yesterday under our local pay bargaining agreement, we are still getting from [TU] [redacted] an insistence that we are forced by agreement between Scottish Gov and the TUs / Scottish pay policy to pay the full adult living wage (and progression) regardless of age or , if higher , the substantive rate for the fully fledged role the person is being apprenticed to. That would mean no apprentice could be paid less than £16,150 day one and in the Finance context we have been discussing, a start salary for a young newbie apprentice straight from school of over £17,000 which would be both unaffordable and pointless as a MA given we have the burden and cost of constant supervision, on the job training and formal c 1 day a week study. Our proposal is to pay c £[redacted] for apprentices which is c £[redacted]hr. This is much more than the statutory min of £3.30 an hour for apprentices and in line with what Councils pay and the average modern apprentice salary in Scotland of £249 a week which is c £6.70 hr.</p>

Date	Source	Relevant Text
26/07/2016 and 09/09/2016	Exchanges between National Galleries of Scotland (NGS) and Scottish Government. Sponsor Team (ST). Finance Pay Policy (FPP) (continued)	<p>The TU line is not consistent with the information/guidance/any dictat that we [NGS] [redacted] are hearing from conversations and questions of Scot Gov nor is it something I can find endorsed/demanded on any relevant website or eg instruction from Swinney to Skills Development Scotland for instance. And only at our meeting last week, [SG] [redacted] reconfirmed that precedents set by what Scot Gov centrally has decided for itself/agreed with TUs to do are not binding on NGS and do not automatically translate across to us. [NGS][redacted] is seeking evidence in writing from the TU [redacted] but can I also ask you and Neil for a definitive answer to the following question, given that the TUs wish to escalate and make a huge issue out of this and appear to want to kill off our MA scheme before we get started –</p> <p>IS NGS required by Scot Gov to pay a minimum of £16,150 to MAs who are aged 16-24 ?</p> <hr/> <p><u>ST: 04/08/2016:</u></p> <p>The relevant paragraphs from the 2016-17 pay policy are set out below:</p> <p><i><u>How does the pay policy apply to Modern Apprentices and Interns?</u></i></p> <p><i>2.38 Where a public body takes on a Modern Apprentice in a recognised/existing job role then the public body is expected to pay them the rate for that grade.</i></p> <p><i>2.39 Where a public body takes on a Modern Apprentice in a specific training role they are expected to pay the Scottish Living Wage where they can afford to do so and as a minimum the public body would be expected to pay the adult National Minimum Wage rate rather than the Youth Development or Apprentice rates. Where a public body pays a lower rate they would be required to set out their reasons for doing so in their business case.</i></p> <p>If the MA is appointed to an existing job role then they should be paid the rate for that grade. If they are in a training role then the expectation is that they will receive the Scottish Living Wage which equates to c.£16,150 per annum (based on £8.25 @ 37.5 hours) in 2016-17. If you want to pay at a lower rate then this would be predicated on there being affordability issues & you would need to seek approval from our RG to do so by including it in your business case. Given that this appears to be a single position, it would be difficult to argue that it was not</p> <hr/> <p><u>NGS: 08/08/2016:</u></p> <p>Just for absolute clarity – are you saying that, with a new MA training role for a 16-24 year old (ie not filling an existing job), per policy we are NOT free, without an affordability case & recourse to RG at Scot Gov for approval, to pay the generous £[redacted] an hour or £[redacted] we propose (which is the norm in the market and matches under 25 minimum but not adult minimum wage) ?</p> <p>This is important as we wish to create MA roles but the scheme will be a nonsense/non- starter if at adult living wage, given the whole point is to provide underqualified youngsters who don't have access to NGS with opportunities and to provide both class room qualification time and on the job training.</p>

Date	Source	Relevant Text
26/07/2016 and 09/09/2016	Exchanges between National Galleries of Scotland (NGS) and Scottish Government. Sponsor Team (ST). Finance Pay Policy (FPP) (continued)	<p><u>FPP: 09/08/2016:</u></p> <p>The policy expectation is that if an MA is employed in an existing role within an organisation then their pay should be based on the pay for that grade (which will of course be at least at the level of the Scottish Living Wage (SLW)). As it stands, our pay policy does not take into account age but is more concerned with the actual role being undertaken.</p> <p>The pay policy is not designed to make it more difficult for public bodies to take on Modern Apprentices but to provide them with a fair level of pay that is comparable to other staff in the organisation. Where there are affordability issues, then it is possible to make a case to pay at a lower level based on the National Minimum Wage but, as stated below, the additional cost for a single MA would not appear to be material.</p> <p>It is worth noting that MAs within the Scottish Government are paid at A3 level which is significantly more than the SLW equivalent of £16,150.</p> <hr/> <p><u>NGS: 09/08/2016:</u></p> <p>Our work to date indicates that £[redacted] is a fair market rate for a 16 -24 year old apprentice and we are cognisant of the training and supervision provided, the impact on other staff and their relative salaries for the level of responsibility and contribution, as well as affordability issues.</p> <p>I read your email as confirming that Pay Policy as applied to NGS is as per the TU position, that £16,150 is the absolute minimum level of pay for a Modern Apprentice</p>
09/04/2015 and 14/04/2014	Exchanges between National Museums of Scotland (NMS) And Finance Pay Policy (FPP)	<p><u>NMS 09/04/2015:</u></p> <p>The remit covers only the year 2014/15 as there remains significant uncertainty about the increased level and funding of employers' pension contributions, and the level of the Scottish Living Wage, in the 2015/16 financial year which means we cannot be sure of 2015/16 affordability at this time.</p> <hr/> <p><u>FPP 14/04/2015:</u></p> <p>I note that you are uncertain what impact the changes to Employer's Pension Contributions & the next uplift to the Scottish Living Wage will have on your paybill in 2015-16. However, you should be aware that several other organisations with similar questions have gone ahead & sought approval for two year remits, even though the final position is still unclear.</p> <p>I understand that your position is different to many others given the number of low paid staff that you have but the impact of the SLW in 2014-15 on your paybill is relatively small in financial terms. Although the final pension increase is currently unknown, the working assumption that we are using for the Civil Service Pension Scheme is a contribution rate of 21.8% as Cabinet Office expects this to be close to the final position. If you wanted to go ahead & model 2015-16 costs on a similar basis then we could be able to approve that as well as 2014-15.</p> <p>Nevertheless, if you don't want to propose anything for 2015-16 at this stage then that is your choice; all I wanted to do was point out the position for other public bodies so that you were aware of what else was going on.</p>

Date	Source	Relevant Text
22/12/2015	Exchanges between National Museums of Scotland (NMS) And Finance Pay Policy (FPP)	<p><u>FPP: 06/08/2015:</u></p> <p>Scottish Living Wage I note that the lowest grade (8) is increasing from £14,775 to £15,161 and that this increase is based on a 37 hour working week at £7.85. This methodology was correct in terms of the 2014-15 pay policy but there has been a change in the technical guide for 2015-16. See extract below:</p> <p><i>How should the Scottish Living Wage be applied?</i> <i>2.37 The policy expectation is that the Scottish Living Wage of £7.85 per hour for 2015-16 should be applied as an annual gross salary equivalent of £15,366.</i></p> <p><i>2.38 Public bodies are reminded that they should meet the Scottish Living Wage obligation by paying the specified gross annual salary, unless they can provide evidence of the exceptional circumstances that apply. This would be where conditioned hours are less than 37.5 hours per week and where there are affordability issues or where staff would normally expect to be paid at an hourly rate (rather than an annual salary) or are employed seasonally. In such instances, a case may be made to pay staff at the equivalent hourly rate rather than the annual gross equivalent. In all cases, the public body must make sure the minimum full-time annual salary corresponds to the hourly rate of at least £7.85.</i></p> <p>So the expectation is that your lowest salary should be at least £15,366. You can make a case based on the issues above but this would need to be considered by Remuneration Group. So far, we are aware of only one public body under our pay policy that will be paying staff less than £15,366 in 2015-16 – their reason being that the staff involved expect to be paid on an hourly basis. There is therefore a precedent for getting approval for a lower salary but it is not the norm and you will need to provide a robust case to support it.</p> <p>-----</p> <p><u>NMS: 18/11/2015:</u></p> <p>On SLW, we do concentrate on ensuring that we pay the SLW hourly rate rather than the annual salary. This is because nobody in our organisation is contracted to work 37.5 hours per week for 52.2 weeks a year. In our grading structure the SLW affects only Grade 8 and part of Grade 7. In these grades contracted hours per week vary depending on the nature of the work being done. For example in Grade 8 the median contracted hours is 20 hours per week. In Grade 7, the median is 35 hours per week. This base pay is then supplemented using an hourly rate. We have to do this to reflect the nature of the museum business i.e. we are open every day except 25 December in two of our four museums and we make supplementary payments for working public holidays and (for some staff) working weekends. In addition, we open out of normal hours to hold events of various kinds and this leads to hourly based overtime payments. Further, at two of our four museums we are open on a seasonal basis, with additional staff brought in to service summer opening hours (and any associated events/public holiday working).</p> <p>Our view is that our working environment is not suited to a salaried payment approach because working patterns are not stable enough to be remunerated in that way whilst ensuring that employees are fairly paid for the hours they work. Hence we concentrate on ensuring we pay at least the SLW hourly rate, and this year we have brought forward the implementation of the new rate to 1 April in support of the SLW policy.</p>

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22/12/2015	Exchanges between National Museums of Scotland (NMS) And Finance Pay Policy (FPP)	<p>Finally, affordability is also an indirect consideration. We are currently in an industrial dispute with one of our three recognised trade unions where they wish to see reintroduction of payments that have been unaffordable since 2011. Although the cost of shifting to a SLW annualised salary would be small compared to the overall paybill, accepting any further increase in costs would undermine our negotiation position.</p> <p>For all these reasons, we regard the annualised SLW as being both technically unsuitable to our organisation and unaffordable.</p> <p>I trust this is sufficient response to your queries. Based on your last e-mail I anticipate that the SLW matter will require consideration by the Remuneration Group and I await your further advice before proceeding any further with the implementation of the 2015 award.</p> <hr/> <p><u>FPP: 21/12/2015:</u></p> <p>I just wanted to clarify the position with your 2015-16 pay remit proposals. Am I correct in saying that you wish RG to now consider the outstanding issue (the application of the Scottish Living Wage) based on the original remit proposals? I had thought that the various options that were being discussed with PCS could have had an impact on the final position but I understand from Duncan that these may have ended without any agreement?</p> <p>If this is the position and there is no likelihood of any further progress with PCS, then the submission will be based on the text of your email dated 18th November (proposal for the calculation of Living Wage to be based on an hourly rate).</p> <p>The next meeting of RG is 22nd January – please confirm that this is OK for you.</p> <hr/> <p><u>NMS: 22/12/2015</u></p> <p>I confirm that the submission should go to the 22 January meeting based on my e-mail of 18 November.</p> <p>Proposals made to PCS were once again rejected. Further strike has been called and progress any time soon seems unlikely.</p>
10/02/2014 and 11/02/2014	Exchanges between National Parks Authority and Finance Pay Policy	<p><u>NPA: 11/02/2014:</u></p> <p>In 2015-16 the NPAs would continue to commit to the lowest pay range minimum to be at least the SLW new figure</p> <hr/> <p><u>FPP: 10/02/2014:</u></p> <p>One other point - can you include in the Business Case, under the section on the Scottish Living Wage, that in 2015-16 the NPAs would continue to commit to the lowest pay range minimum to be at least the SLW new figure (once this is announced later this year). All 2014-16 approvals will be conditional on this anyway.</p>

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11/02/2014	To: National Parks Authority	<p><u>Scottish Living Wage</u></p> <p>I think you may well have calculated the annualised rate for the cleaners using just 52 weeks – it's actually 52.2 (see para 2.32 of the Technical Guide). That would make the cleaners' annual salary £14,775, based on a 37 hour working week. Please amend and, for the record, explain how this meets the policy in this section</p>
05/05/2015 and 13/05/2015	Exchanges between Royal Botanic Gardens (red) Edinburgh and Finance Pay Policy	<p>The Band A min is £14,975 and the approved Remit was £14,775. Is this simply a typo or was something else done here? As part of our discussions with unions last year, we agreed to increase our band A minimum point to the annual SLW figure (£14,975), rather than the figure worked out on the basis of our shorter working week (£14,775)</p> <p>The Modern Apprentices – you have these in the pay data as a 'Target Rate' of £12,827, but this is age dependent. The Business Case says they are paid the MA rate as they are in the first year of the programme and will move to the adult national minimum wage as of 1 July (at the start of their second / final year). The Pay Policy on this is in para 2.34 of the Technical Guide which requires them to be paid <i>at least</i> the adult national minimum wage (currently £6.70) – this may be what you are paying – can you confirm what they are being paid? The policy as drafted reflects Mr Swinney's views (in discussions during the development of the policy, he was pretty adamant on this), so if MAs are not being paid the SLW, then we would need a fairly robust justification on the grounds of affordability and even then the view here is that this would need to go to RG for final approval over this point (unfortunately RBGE is the first on this issue, so it would set the precedent for others for the future). Happy to discuss. Our proposals have changed on this (see point 6 in introduction of business case), and we are now proposing to pay SLW rate for new apprentices. In the second year of the programme they'll receive the same increase as any other member of staff (in effect being treated as regular band A staff). As we're now looking to recruit 2 new apprentices to start in August, whereas this wasn't the case originally, our FTE in the proposals has increased by 2.</p>
18/05/2015	To: Royal Botanic Gardens Edinburgh from Finance Pay Policy	I note RBGE have amended the pay proposals for the Modern Apprentices. This is now wholly in line with Ministers' pay policy intentions.
19/03/2014	To: Scottish Canals	The PSPP expectation is that the lowest salary point is £14,975, unless the conditioned hours are less than 37.5 per week. SC work 37 hours per week. $£7.65 \times 37 \times 52.2 = £14,775$. Your min salary point must be £14,775 and you have £14,739. If there are any staff affected, then this would entail increases being listed in row 30 of the 'Costings' worksheet).
05/08/2015	To: Scottish Canals	<p>I have just been reminded by a colleague of the email below.</p> <p>This refers to paras 2.34 and 2.37 of the Technical Guide to the 2015-16 Pay Policy. Basically (and despite approval being given for year 2 of the 2 year remit), public bodies must:</p> <p>Pay Modern Apprentices (MAs) (where they are in a recognised grade) the Scottish Living Wage; and The min salary should be £15,366 – irrespective of working hours and hourly rate being min £7.85 per hour.</p> <p>I don't know what SC's position is regarding MAs, but the approved (as part of the 2014-15 and 2015-16 pay proposals) minimum salary in 2015-16 was £15,089. So this will have to increase to £15,366.</p>

Date	Source	Relevant Text
12/10/2015 abd 27/10/2015	Exchanges between Scottish Canals (red) and Finance Pay Policy	Can you confirm the 2015-16 basic salary of staff in Grade 'red' – is it £16,350? No it is the living wage £7.85 per hour plus 10% + allowances depending on contract Can you confirm the 2015-16 basic salary your Modern Apprentices <i>where they are in a recognised grade</i> ; otherwise, what are their pay arrangements? They get paid the minimum wage for apprentices at an enhanced rate.
26/06/2014	From: Scottish Courts and Tribunal Service	Staff at Court Officer Level currently have a starting salary of £14,700 and after the 6 month probationary period move to the target rate which is currently £15,925. In reality the annual salary will be above £14,975 unless they do not meet the performance standard set in their probation contract.
28/01/2016	From: Scottish Children's Reporters Administration	Modern Apprentices paid the Scottish Living Wage of £15,073 (based on a 35 hour working week) SCRA will implement the new SLW rate for 4 Modern Apprentices who were previously paid the Adult National Minimum Wage. The SLW has been calculated on a 35 hour working week rather than 37.5 hour working week resulting in an annual gross salary of £15,072. The Trainee Administrator grade has been amended accordingly so that the minimum point reflects this. <i>[Note from FPP, 10/08/2017: as MAs are receiving an hourly rate of £8.25 per hour, therefore the approach taken by SCRAs is wholly consistent with pay policy]</i>
10/03/2014	From: Scottish Enterprise Extract from Business case	Staff who earn less than the Scottish Living Wage are employed at Skill Seeker level. For information, we have renamed our Skill Seeker grade to 'Modern Apprentice'. This level is a training programme for young people who want to develop skills and equip themselves for the world of work. We propose to keep the current minimum of the pay range for this training programme unchanged at £12,000. Our approach is consistent with previous pay reviews where we have had approval for these employees to earn below the Scottish Living Wage threshold. There are currently no staff in this grade. SE anticipates recruiting 2 FTE into the Modern Apprentice (formerly Skill Seeker) programme over the period of the remit. In addition, 10 FTE Apprentices/Trainees will be recruited at admin grade which is above the Scottish Living Wage.
20/02/2014 and 28/02/2014	Exchanges between Scottish Enterprise (SE) and Finance Pay Policy (FPP)	<u>SE 05/02/2014:</u> Staff who earn less than the Scottish Living Wage are employed at Skill Seeker level. For information, we have renamed our Skill Seeker grade to 'Modern Apprentice'. This level is a training programme for young people who want to develop skills and equip themselves for the world of work. We propose to keep the current minimum of the pay range for this training programme unchanged at £12,000. Our approach is consistent with previous pay reviews where we have had approval for these employees to earn below the Scottish Living Wage threshold. ----- <u>FPP 20/22/2014:</u> Note there are currently no staff in this grade but SE anticipate they will recruit 10fte Apprentices/Trainees over the period of the remit.

Date	Source	Relevant Text
20/02/2014 and 28/02/2014	Exchanges between Scottish Enterprise (SE) and Finance Pay Policy (FPP) (continued)	<p><u>SE 28/02/2014:</u></p> <p>Confirmed there are currently no staff in this grade and SE anticipates recruiting 2 FTE into the Modern Apprentice (formerly Skill Seeker) programme over the period of the remit. (The 10 FTE Apprentices/Trainees referred to above will be recruited at admin grade.)</p>
05/02/2015 and 25/02/2015	Exchanges between Scottish Environment Protection Agency and Finance Pay Policy	<p><u>FPP 05/02/2015:</u></p> <p>For 2015-16 all public bodies are required to apply the gross annual equivalent unless there are exceptional circumstances, as set out in the FPP update which issued last November – I have pasted the relevant extract from the update here:</p> <p><i><u>Annual gross salary when employees work fewer than 37.5 hours per week</u></i></p> <p><i>Concerns have been raised that while the actual hourly rate of pay may be in line with the Living Wage hourly rate, the annual equivalent salary does not meet the pay policy expectation for the specified gross annual salary.</i></p> <p><i>Employers are reminded that they should meet the Living Wage obligation by paying the specified gross annual salary, unless they can provide evidence of the exceptional circumstances that apply. It is recognised that where there are affordability issues or where staff work a limited number of contractual hours or are employed seasonally then a case can be made to pay staff at the equivalent hourly rate.</i></p> <p>Therefore you would be expected to apply the 2015-16 rate of £15,366 rather than the 35 hour working week equivalent. Looking at your pay data the costs are minimal however it does have an impact on the grade H pay range. There are a couple of options to either apply higher increases to the whole pay range or to shorten the pay range by removing the two lowest steps.</p> <hr/> <p><u>SEPA: 25/02/2015</u></p> <p>We have included in the proforma the cost of making a further payment to the 3 H Band (steps 1,2 and 3) covered by to bring them up to the Scottish Living wage of £15366. We have opted to merge the three bottom steps into new range minima.</p> <p>We have 4 posts in H band (1 is vacant). Two steps of the H Band are impacted on, as being lower than the Scottish Living Wage.</p> <p>Two staff are on step 2 and 1 is on step 1. It is proposed that we merge the two bottom steps of the band H to make a new band 1 at £15366 to bring their salary up to the Scottish Living Wage.</p>

Date	Source	Relevant Text
10/04/2015 and 30/04/2015	Exchanges between Scottish Environment Protection Agency and Finance Pay Policy	<p><u>FPP: 10/04/2015</u></p> <p>Scottish Living Wage – the policy expectation is for employers to pay the living wage full annual amount as this is deemed the amount an individual should earn to afford a basic but acceptable standard of living. However the policy allows flexibility where there are exceptional circumstances but these must be predicated on affordability and/or where staff would normally expect to be paid at an hourly rate (such as seasonal or cleaning staff). I note the points you make regarding the risks on creating equal pay issues and RG will take this into account in their consideration of your proposals.</p> <p>-----</p> <p><u>SEPA: 30/04/2015</u></p> <p>SEPA is committed to paying staff the Scottish Living Wage. To comply with Pay Policy SEPA will be removing the bottom two spinal points within Band H which means that our lowest annual salary from 1 April 2015 will be £15,545 per annum. The removal of these pay points reduces the number of pay steps within Band H from 6 to 4. SEPA has concerns that the requirement to consolidate the £300 increase into our pay steps and removing the bottom two spinal points with Band H undermines the integrity of its pay and grading system. This could result in Equal Pay claims. It is likely that SEPA will be put under pressure from the Trade Union to review its pay system and grade boundaries. This may pose ongoing affordability issues for SEPA.</p>
21/03/2014	To: Scottish Natural Heritage	<p><u>Scottish Living Wage</u></p> <p>I think you may well have calculated the annualised rate for the cleaners using just 52 weeks – it's actually 52.2 (see para 2.32 of the Technical Guide). That would make the cleaners' annual salary £14,775, based on a 37 hour working week. Please amend and, for the record, explain how this meets the policy in this section.</p>
26/04/2016	From Scottish Prison Service	<p>One of the issues that [redacted] left with us was that of Trades Apprentices. The SPS currently pays Trades Apprentices a rate linked to the maximum of Band C. At the bottom of this scale, this is below the Living Wage but compliant with the NMW apprentice rate.</p> <p>It has previously been noted that the full NMW rate will apply to those of our apprentices who are 19 or over, and not in their first year. Whilst we do not have any apprentices in these circumstances at present, we have no formal policy on differentiating pay in this regard, and it has not been addressed in our previous pay submissions. As a legislative requirement, the SPS would simply comply with the law and apply the higher rate to the applicable employees.</p> <p>The TUS position on this is that we should pay the NMW to all apprentices. We expect that this will be raised again in pay discussions this year, and we do not expect the SPS position to change.</p> <p>[redacted] suggested that we formalise our arrangements to allow us to differentiate the pay rate for apprentices who meet these criteria, and prepare a paper for the Ministers outlining the position, as this might be raised directly with the Ministers by the TUS. From a Finance Pay Policy perspective, would it be worthwhile for SPS to produce a paper on this at present, or would we be better advised simply to address it in our 2016/17 pay submission?</p>

Date	Source	Relevant Text
07/10/2016 and 19/10/2016	Exchanges between Scottish Prison Service and Finance Pay Policy	<p><u>SPS: 07/10/2016:</u></p> <p>We are implementing our agreed 2016-17 pay settlement and noted an anomaly with our trades apprentices. The Technical Guide relates to modern apprentices, whom we pay at the appropriate rates, but is silent on trades apprentices.</p> <p>Our trades apprentices are paid a % of the maximum of a qualified tradesperson's grade (SPS Band C), and this increases during their apprenticeship via progression – the range is approx. £12,700 - £17,500.</p> <p>We have paid progression and 1% across all bands, this means that the trades apprentices received an increase of 1% (between £127-£175 approx) before progression, which is obviously under the £400 required by FPP for those below the LW threshold. Where this occurred with another, substantive, grade, we made a non-consolidated payment to those in that grade to ensure that their 1% increase before progression was “topped up” to £400.</p> <p>Our question is, therefore, are trades apprentices included in the same way that other employees are, and should we then “top up” their 1% increases to £400?</p> <p>-----</p> <p><u>FPP: 10/10/2016:</u></p> <p>Regarding your query below, I think the answer depends on how strong the link is between the pay for trades apprentices and your Band C. If this is a formal agreement and forms part of your terms & conditions then it would be reasonable to increase the trades apprentices pay by only 1% (to maintain the link to the max) and pay the remainder as non-consolidated. If, however, the link is a bit more informal then we would suggest that a £400 increase would be more appropriate as this would not impact on the structure of your pay system.</p> <p>-----</p> <p><u>SPS 19/10/2016:</u></p> <p>We'll make a couple of adjustments and get this back to you. The Trades Apprentices pay is a formal agreement, so we've made the “top up” a non-consolidated amount.</p>
10/05/2016 and 19/05/2016	Exchanges between Scottish Qualifications (red) Authority and Finance Pay Policy	<p><u>Scottish Living Wage</u> – I have updated your business case in regard of the outcome of your discussions with the Poverty Alliance re application of the uprated for accredited bodies. Noted and thank you for this.</p> <p>Extract from revised business case:</p> <p>Following discussion with the Living Wage Foundation and taking into consideration our temps/contractors we have decided it is easier to implement the 2016 SLW hourly rate of £8.25 ph for our grade 1 staff rate (annual equivalent of £15,015) with immediate effect (backdated to 1 April). A further increase to £16,150 for grade 1 will be implemented as part of the pay settlement (again backdated to 1 April 2016). The cost of the applying the full uprate to the pay policy requirement of £16,150 is included in our pay remit costings.</p> <p><i>[note 10/08/2017: FPP confirm the living wage increase was wholly in line with pay policy. The issue was about dates for awarding the living wage rate increase while pay negotiations had not been completed to meet accreditation requirements.]</i></p>

Date	Source	Relevant Text
20/03/2017	From: Scottish Qualifications Authority	<p>Can I double check the policy in relation to the above. Our grade 1 staff currently receive an annual salary of £16,150 which equates, in SQA terms, to an hourly rate of £8.84 (35 hour working week). As this hourly rate is higher than the £8.45 rate which is the basis of the revised SLW, can you advise whether we are required to implement the revised SLW gross annual salary of £16,320 on 1 April 2017 or whether we can implement this at the same time as the pay remit is implemented for other staff?</p> <p>Last year, we moved our grade 1 staff to ensure the hourly rate of £8.25 on 1 April, then increased to the gross annual amount when the pay deal was implemented for the rest of staff - this was discussed and agreed with SG at the time.</p> <p><i>[note 10/08/2017: FPP confirmed that the revised SLW rate had to be implemented on 1 April 2017]</i></p> <p>Can I just check, the working week for the calculation of the SLW has changed to 37 hours (it was 37.5 hours last time round). Is this likely to fluctuate or is it now likely to be 37 hours going forward?</p> <p><i>[note 10/08/2017: FPP confirmed that the revised calculation was based on the median working week of bodies subject to the pay policy and this would be the basis going forward]</i></p>