

Confirmation of the NJC Pay Award

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11 November 2020

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UNISON and GMB members voted to accept the offer; it was rejected by UNITE members. However, in line with the constitution of the JNC, UNITE will accept the majority decision of the other unions and so the pay award will now be implemented.

- Spinal column points and allowances are increased by 2.75%
- Whilst the overall total possible number of days' annual leave has not changed from 25 days, the minimum amount of annual leave is increased to 22 days (from 21 days). Then, after five years' continuous service, the total annual leave entitlement is increased by three days (from four days). The entitlement as expressed applies to five day working patterns. For alternative working patterns an equivalent leave entitlement should be calculated.

Therefore, if you have staff currently receiving 21 days annual leave, this will need to be increased to 22 days from 1 April 2020 and this will need to be taken into account in term-time only pay calculations.

The new pay spine replaces the current pay spine and takes effect automatically for support staff working in maintained schools. There is no requirement to consult with the trade unions as this has already been done nationally.

Academies are not a party to the NJC negotiations, so they do not have to automatically implement the pay deal. It is recognised though that some academies, upon conversion, do make a binding agreement (rather than a commitment) to honour or exceed nationally agreed terms, in which case they are likely to implement any agreed award without taking any other action. This will be very much dependant on what you have agreed in TUPE measures letters, policies, contracts of employment and potentially the custom and practice that may have taken place in the past.

If that doesn't apply then academies could choose a different route, including:

- Do nothing and wait for contact from the support staff unions in relation to implementing the NJC agreement, and then decide what to do.
- Develop their own pay offer for support staff (based perhaps on the academy's own budget). In this situation the academy/trust would need Board/Governing Body approval and then, in most cases (for example, where there is a trade union recognition agreement in place which requires you to get agreement on pay), the offer would need to be made to the trade unions, which could be rejected. If there is no requirement to get agreement, then you may be able to implement the new pay offer. In this circumstance, it is our advice that you consult with a view to reaching agreement before making a decision to prevent possible industrial relations issues. Please speak to us for advice on individual situations.
- Implement the NJC award in full and inform staff that although the academy is not party to the NJC negotiations, the Board/Governing Body has decided to implement the pay award to mirror the local government pay scale.

If academies decide not to implement the award, then it remains to be seen what impact that will have on recruitment and retention in the employment market.

This article was first published by [LASBM](#) on 30 September 2020.

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