

MARKET SUPPLEMENT PAYMENT (POLICE STAFF)

Executive Summary

At West Midlands Police (WMP), we want to attract, recruit and retain the highest calibre candidates, with diverse skills and experiences, who will enrich our Force, enhance our approach to community policing and support the delivery of our strategic objectives.

To achieve this, we recognise our responsibility to train, develop and support our staff to both maximise their potential whilst also meeting the needs of the Force. One of the ways in which this can be achieved is via the undertaking of temporary roles or specific and alternative tasks, allowing for development of skills and experience.

This Policy (and related policies) been created to facilitate *internal job mobility* whilst ensuring adequate oversight and governance to ensure fairness and transparency for all staff.

There are rare occasions when the assigned job grading and associated salary (as determined through job evaluation) is insufficient to successfully recruit to or retain staff in specific posts because salaries offered by other employers for the same role, exceed those paid by the West Midland Police. To address this, it may be appropriate to pay a Market Supplement (MSP) in addition to salary to ensure a vacancy can be filled or the post holder is retained.

This commitment to internal mobility must be set against WMP's commitment to ensuring that all colleagues' pay is sustainable and legally compliant i.e. policies reflect the principles of *Equal Value* and Non-discriminatory legislation.

We have set out this policy to:

- Ensure that WMP follows a fair and consistent approach to assessing Market Supplements to ensure they are justifiable and managed consistently and transparently
- Reinforce our commitment to treat all staff fairly, consistently and equitably

Authorised Professional Practice (APP):

- This policy has been checked against APP and there is none in relation to the subject matter of this policy.

Policy Statements:

The specific provisions of this policy are not contractual, unless expressly stated, and can be amended from time to time.

- This policy applies to all WMP staff, regardless of seniority.
- This policy does not apply to:
 - Police Officers
 - Special Constables
 - Volunteers
 - Contractors or Agency Staff
- Police officers managing members of police staff, must be familiar with this policy and adhere to its requirements, where necessary.

- Market supplement payments are lawful under the [Equal Pay Act](#) (1970/5) where there is evidence to justify that market factors are the 'genuine material reason' for the post attracting a higher rate of pay than other similarly graded posts.
- The first and most important principle of a Market Supplement is that they must reflect the levels of pay (not other benefits) in the market for which they are determined.
- This allows the supplements to be removed or eliminated over a period and ensures that they are introduced for an identifiable and specific purpose and period.
- The use of a Market Supplement must be based on factual evidence and not simply used as an alternative to resolving other managerial issues.
- The supplement will be for a fixed amount based on market data evidence.
- Inconsistently managed MSP may give rise to equal pay claims and hence must be based on objective, demonstrable criteria at the time of application and throughout the duration of the payment.

APPLICATION

- To apply for a MSP the relevant Head of Service/Department must consult with the HR Business Partner and seek confirmation from the Group Accountant that funding is available.
- The Head of Service/Department must prepare a business case.
- The business case must include:
 - a) Clear evidence of difficulties in recruiting or retaining staff must support applications, including;
 - Advertising costs,
 - Numbers of applicants
 - Brief and unbiased comment on the caliber of applicants
 - Results of interviews
 - Identified shortfalls.
 - In the case of retention, evidence of employees applying for the same kind of job elsewhere must be provided
 - b) A clear rationale that describes why a particular post should attract the supplement and what benefits the application will bring.

FUNDING

- There is no central budgetary provision for payment of Market Supplements.
- Services will need to identify existing resources at the time of application; this needs to be confirmed by the appropriate Group Accountant.
- Particular emphasis needs to be given to considering costs when a whole job group would attract payment.
- Consideration must also be given to the fact that some job groups are spread across a number of directorates.



MARKET ANALYSIS

- A market analysis will be completed by the Reward and Benefits Team using independent research sources.
- An additional external market analysis may be sourced from an independent Reward Consultancy.
- This analysis will identify whether a supplement is appropriate and will provide the basis for the calculation of any supplement denomination.

DECISION MAKING

- The application and business case, accompanied by any recommendation from the Reward and Benefits Team, shall be considered in a closed sessions hosted by the Working Planning Group.
- All documentation will be considered for the group to reach a decision.

OUTCOME

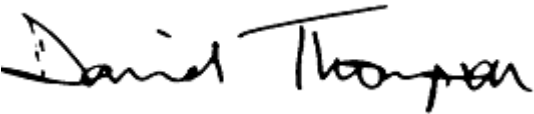
- The timeframes for providing a response will vary depending on the post being reviewed and the availability of suitable comparable data.
- Post holders and requesting managers will be notified of the outcome in writing, including a rationale for the final decision.

APPEALS

- If the post holder and requesting manager disagree with the outcome, an appeal may be submitted by the Head of Department, within 14 days of receipt of the outcome.

PAYMENT

- Market supplements shall be payable to all post holders for the respective role.
- Supplements will be payable from the date of approval by the Workforce Planning Group.
- Part time employees will receive the market supplement payment on a pro-rata basis.
- Supplements will be payable as part of the normal salary and will be subject to national insurance, PAYE Income Tax and pension deductions.
- Market supplements will be included in the calculation of all statutory and occupational entitlements including but not exclusive to sickness, maternity, adoption and support pay, redundancies, allowances and overtime.
- Cost of living amendments will only be applicable to the base salary.

<p><u>REVIEW</u></p> <ul style="list-style-type: none"> • Market supplement payments are awarded for a period of 12 months. Continued eligibility is reviewable at the end of each period. • Where a post remains eligible for a market supplement payment, the denomination will be adjusted in line with any Police Staff Council pay awards.
<p><u>Definitions/Acronyms:</u></p> <p>WMP – West Midlands Police</p> <p>MSP – Market Supplement Payment</p>
<p><u>Publication Instructions:</u></p> <ul style="list-style-type: none"> • Suitable for publication to public
<p>Policy Ref: PODP/06</p> <p>POD Doc No: SEC-ER-001</p> <p>Version: 1.0</p> <p>Date: 03/02/2022</p> <p>Review Date: 03/02/2023</p> <p>Policy Initial Implementation Date: 03/02/2022</p> <p>Policy Author: Iain Willetts, Head of Reward & Benefits</p> <p>Business Area Owner: Business Partnering</p> <p>Department Responsible: Employee Relations</p> <p><i>Any enquiries in relation to this policy should be made directly with the policy author shown above.</i></p>
<p><u>Force Executive Approval:</u></p> <p></p> <p>CHIEF CONSTABLE</p>

Monitoring and Review

West Midlands
POLICE 

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Version	Date Reviewed	No change / Minor Changes / Major Changes (<i>detail</i>)	Amended / Agreed by	New review date