

Acting Up and Higher Duties for Single Status Employees

Version 1

April 2025



Contents

1. Introduction
2. Scope
3. Definitions
 - Acting Up (Applies to Vacant Posts only)
 - Higher Duties
4. When it is appropriate to use Acting up or Higher Duties
5. Duration of cover required
6. Determining the percentage of duties
7. Payment and Salary Placing
 - Acting Up
 - Overtime when Acting Up
 - Returning to Acting Up after a Short Period of Time
 - Higher Duties
 - Overtime when undertaking Higher Duties
 - Incremental Progression
 - Processing of Payment
 - Pension
8. Stand-in Arrangements (Hourly Difference)
9. Selection Process
 - Higher Duties
 - Acting Up
 - Backfill of Posts
10. Appointment to Permanent Post
11. Equal Opportunities and Review

Appendix 1 – Calculation for Acting Up or undertaking Higher Duties

Appendix 2 – Expression of Interest Form

1. Introduction

As part of our commitment to developing a workforce for the future, North Lanarkshire Council recognises the significance of providing opportunities for employees to temporarily act up to a higher graded post or to undertake additional higher duties. Whilst the business needs of the Council will always be the primary focus of any resourcing decisions, we recognise that promoting the development and capabilities of the workforce by giving them experience beyond their substantive job role can be beneficial in building our capacity.

The provisions around acting up and undertaking higher duties are currently detailed within the Council's Core Conditions of Service and these will continue to apply.

2. Scope

This guidance applies to all employees of the Council who hold a permanent or temporary contract with the Council (except those employed under SNCT (Scottish Negotiating Committee for Teacher) Terms and Conditions for whom separate arrangements apply. Casual Workers and Trainees are not eligible for acting up or higher duties payments, however there may be occasions when it is appropriate for Modern Apprentices to be given an opportunity to act up or undertake higher duties for a limited period of time.

Managers who ask an individual to act on their behalf during short periods of absence such as sickness, annual leave or attending a conference, by giving them the authority to authorise annual leave, invoices, manage sickness absence etc, do not qualify for acting up or higher duties payments. This is classed as delegated authority which is distinct from acting up or higher duties and does not attract any allowance.

Acting Up and higher duties payments are not intended to be applied on a permanent basis. Where changes to an employee's duties are required on a permanent basis, discussion should take place with the relevant HR Business Partner team and the provisions of the Job Re-evaluation Procedure considered.

3. Definitions

Acting Up (Applies for Vacant Posts only)

Acting up is when an employee temporarily takes on the full or majority of the duties of a vacant post that is graded higher than their substantive post. On most occasions, employees will assume 100% of the duties of the vacant post, however there may be situations where a lesser percentage will be required (ie the person is not qualified to do the full remit of the post). If the requirement for cover is less than 80% of the duties of the post, higher duties arrangements as outlined below should be applied.

Acting up should only be used when it has been established that a post will be vacant for a significant period of time. Managers must ensure that all acting up arrangements are discussed and agreed with the Service HR Business Partner before proceeding.

Higher Duties

Higher duties apply to employees who are required to undertake higher level duties in addition to those of their substantive post for a temporary period of time for business requirements. These duties will be at a demonstratively higher level of complexity than those of the employee's substantive grade duties and will be assigned to a job role evaluated at a higher grade. Higher duties are normally not paid at 100% however there may be circumstances where this is necessary, such as short notice cover that is only required for a limited period of time.

Higher duties can also be approved if there is a need for a specific function of work and/or task to be undertaken, the nature of which is determined as being at a higher level of complexity than the employee's substantive duties. Any decision to apply a higher duties payment in such circumstances must be discussed and agreed with the Service HR Business Partner in the first instance.

4. When is it appropriate to use Acting Up or Higher Duties?

The opportunity to act up or undertake higher duties may be the result of one of the following:

- the permanent employee is on long term secondment.
- awaiting a vacant post being advertised and filled.
- cover of a long-term sickness absence or maternity leave
- awaiting the conclusion of a structural review
- requirement to ensure continuity of service delivery (mainly front line)
- undertaking a project or planned employee development exercise not related to an established position but associated with a short-term business need.

In determining requirements for acting up or higher duties payment, the manager should consider in conjunction with their Service Business Partner, the following:

- the length of time that the post will be vacant
- how long higher duties will be required
- the nature of the duties requiring to be undertaken
- can the duties be assumed by peers or supervisors
- impact on team members
- employee management responsibilities of the role
- impact on budget and/or Council reputation
- specialised knowledge requirements

Acting up and higher duties payments should not be applied if the impact of any absence will be minimal.

5. Duration of Cover Required

In the normal course of events acting up or higher duties should not continue beyond twelve months, and if it becomes apparent that the requirement will continue longer than this, full consideration should be given to appointing the employee covering the post on a temporary basis.

However, there will be circumstances when it is appropriate for an employee to act up or undertake higher duties beyond twelve months, and this must be fully discussed and agreed by the relevant Chief Officer and Service HR Business Partner.

Agreement for extension of Acting up/Higher Duties beyond 12 months is required from the Workforce Change Steering Group.

There may also be specific business arrangements in place to ensure the continuity of front-line services which do not have a time limit. These arrangements will normally be agreed and applied through a local collective agreement.

6. Determining the Percentage of Duties

To establish the percentage of duties an employee is undertaking of a higher graded post, the job description of the higher graded post should be used, as far as possible, to identify the actual duties that the employee will be undertaking, taking into consideration any duties that the employee will continue to undertake in their own substantive role. Further guidance relating to this is attached at Appendix 1.

Where there are any concerns over the percentage of duties that an employee will be undertaking, this should be discussed with the Service HR Business Partner in advance.

7. Payment and Salary Placing

Acting Up

Employees who are acting up, will be paid the difference between their current salary and the placing on the scale for the higher graded post at the percentage that has been agreed by the manager and Service HR Business Partner (in most cases this should be 100%). The placing on the higher salary scale, will be determined using the promotional rule i.e. they require to be placed on the first point of the salary scale of the higher graded post, which ensures an increase in remuneration of at least an amount equal to the smallest incremental difference on the salary scale of the higher graded post.

Payment will be made from the commencement date of the acting up, however employees will not be paid the higher-grade during periods of leave.

Overtime when Acting Up

Overtime should be avoided where possible during periods of acting up. However, if an employee is required to work overtime whilst undertaking the duties of the post to which they are acting up and they have worked the qualifying hours of 37 hrs per week, a calculation should be undertaken that allows for the difference between the enhanced rate in the higher graded post, minus the enhanced hourly rate that would have been received in the substantive post based on the percentage of acting up that the employee is doing.

Returning to Acting Up after a Short Period of Time

Where an employee has been asked to return to an acting up position with a 12-week period to a post that has the same job title, grade and responsibilities, they should be placed on the same point on the higher salary grade that they were on before the arrangement came to an end.

Higher Duties

Employees who are undertaking higher duties, will be paid the difference between their current salary and the placing on the scale for the higher graded post at the percentage that has been agreed by the manager and Service HR Business Partner (in most cases this should be 80% or less).

The placing on the higher salary scale, will be determined using the promotion rule i.e. placed on the first point of the scale of the higher grade which ensures an increase in remuneration of at least an amount equal to the smallest incremental difference on the salary scale of the higher graded post.

Payment for undertaking higher duties will be paid from the commencement of the arrangement, however employees will not be paid for undertaking higher duties during periods of leave.

Overtime when undertaking Higher Duties

Employees who are undertaking higher duties should not be required to work overtime to undertake the duties and responsibilities of a higher grade unless there are exceptional circumstances that have been fully agreed with the relevant Service HR Business Partner.

If an employee is required to work overtime whilst undertaking higher duties, as long as they have worked the qualifying hours of 37 per week, a calculation should be undertaken that allows for the difference between the enhanced rate in the higher graded post, minus the enhanced hourly rate that would have been received in the substantive post, both calculated at the percentage of higher duties the employee is undertaking.

Incremental Progression

Where 'cost of living' pay awards and/or incremental progression occurs during the period of Acting Up/Higher Duties, amounts will be re-calculated reflecting the relevant formula as outlined above.

These will be implemented in line with the existing Council Core Conditions of 1 April or after 6 months if Acting Up /Higher Duties commences between October and March.

Processing of Payment

Acting up and higher duties payments will be processed by the Employee Service Centre via the Service HR Business Partner teams and therefore it is the responsibility of the line manager to liaise with the relevant member of the HR Business Partner team in a timely manner concerning any proposed changes to ensure accurate payment. The Employee Service Centre will arrange for the employee to be advised on a regular basis of the payment that has been processed within their pay.

Pension

Acting up and higher duties payments are counted towards pensionable service but do not count towards payments associated with redundancy or sickness leave.

8. Stand-In Arrangements (Hourly difference)

When a situation occurs where full cover is required for a higher graded post at short notice, managers will be able to select an appropriate employee to undertake the duties and responsibilities of that post for a maximum period of 2 weeks, after which the normal acting up or higher duties process should be followed. Employees who are undertaking stand-in will be paid from the commencement of the arrangement; however, they will not be paid for any periods of leave during that time.

Employees doing Stand-in duties will be paid the difference between their own hourly rate and that of their placing on the higher graded post. Again, the promotional rule as described earlier in this document should be used to determine their placing on the higher graded salary scale.

Employees who are on stand-in arrangements and undertake overtime in the higher graded post during that period, should receive the difference between the overtime paid at the higher and lower rate.

9. Selection Process

Higher Duties

The line manager should identify the gap in duties required to be undertaken using the job description of the higher graded post. Where a specific task is the reason, discussion

should take place with the line manager and Service HR Business Partner to identify the duties required to be undertaken along with the grade and percentage to be paid.

The manager must determine the duties to be covered and produce a written statement of these duties. (Please refer to Appendix 1). Thereafter, approval must be sought from the relevant Chief Officer and Service HR Business Partner to proceed.

When approved, the line manager, should email/contact those employees who are in surrounding or directly associated roles to advise of the opportunity to undertake higher duties. The email/contact should clearly advise of the duties involved, the percentage of duties to be undertaken and an indication of the time that the cover will be required. Employees who are interested will be asked to express an interest by completing the form attached at Appendix 2.

If more than one employee expresses an interest, a fair and reasonable selection process must be applied which must include a formal discussion in the form of a professional dialogue meeting held by a panel of 2 Senior Officers.

Once the individual(s) have been selected, the line manager will confirm to the employee that they have been successful, detailing the duties they will undertake and the percentage of payment they will receive and the likely commencement and end dates of the arrangement.

The line manager will ensure that the workload is reasonable and will discuss and agree the prioritisation of work.

Acting Up

Following approval from the Service HR Business Partner, the manager should confirm what percentage of acting up is required for the vacant post (this should in most cases be 100%).

Once approved, the line manager, should email/contact those employees who are in surrounding or directly associated roles to advise of the opportunity to act up. The email/contact should clearly advise of the duties involved, the percentage of duties to be undertaken and an indication of the time that the cover will be required. Employees who are interested will be asked to express an interest by completing the form attached at Appendix 2.

When selecting an employee to act up, a fair and reasonable selection process must be applied that includes an interview process if there is more than one suitable applicant or a formal discussion where there is only one applicant. Service HR Business Partner teams will provide support and assistance where needed.

In the case of acting up/higher duties (100%), the line manager will require to ensure the employee's substantive role is also suitably covered.

Backfill of Posts

When it is deemed necessary and following discussion with the Service HR Business Partner, if the substantive post of those employees who are acting up or undertaking higher duties, require to also be covered, agreement must be sought via the Council's Workforce Change Steering Group to allow this to be facilitated.

10. Appointment to Permanent Post

Where an employee has been acting up to a higher graded post for less than a year, and the employee is appointed to the post on a permanent basis, the employee will be placed on the first point of the higher grade which will ensure an increase in remuneration of at least an amount equal to the smallest increment on the higher grade scale. Where an employee has been acting up to a higher graded post for one year or more and is appointed to the higher graded post on a permanent basis, the salary placing will be the same point on the scale they are currently on when under the acting up arrangement.

Where an employee has been undertaking higher duties (less than 100%) for less than a year and is appointed to the post on a permanent basis, the employee will be placed on the first point on the higher grade which will ensure an increase in remuneration of at least an amount equal to the smallest increment on the higher grade. Where an employee has been undertaking the higher duties for a year or more (less than 100%), their current earnings including the value of the percentage of duties being undertaken at the higher grade will be added together with their current basic salary to provide a gross salary and they will be placed on the first point of the scale that is nearest to this value.

Where an employee has been undertaking 100% higher duties for one year or more and is appointed to the higher graded post on a permanent basis, the salary placing will be the same point on the scale they are currently on when under the acting up arrangement.

11. Equal Opportunities and Review

This guidance note will be regularly reviewed by the Chief Officer, People Resources and monitored by the People Resources team in respect of gender, ethnicity, disability, sexual orientation, age, and all factors pertaining to equality of opportunity regulations.

Calculation for Acting Up or Undertaking Higher Duties

Acting Up

In order to establish the percentage of duties that an employee is required to undertake through acting up, (if not the full 100% of the role) the line manager should review the job description for the higher graded post and identify the actual tasks that will be undertaken.

If the job description of the higher graded post has 16 points and the employee acting up is required to undertake 8 of those points, the percentage to be paid would be 50% (8 divided by 16 x 100%). If they are required to undertake 13 of those points, the percentage to be paid would be 80 % (13 divided by 16 x 100%).

When determining what tasks on the higher graded post the employee will undertake, consideration has to be given to their current job role responsibilities and whether or not someone is required to act up into their post.

Higher Duties

The same process as detailed above applies to higher duties, except where there is no vacancy, and the employee has been asked to undertake a specific task or project that merits a higher duties payment. Where this is the case, the task or project at hand should either be in an existing job description within the service or comparable with another one. Where this is the case discussion should take place between the Senior Business Partner for the Service and the Job Evaluation team to identify the appropriate higher grade and percentage of payment.

Agreement

When the decision has been taken as to what duties are required to be undertaken, the manager should discuss this with the employee and provide details of the duties to be undertaken in writing using the template below:

Dear (Employee)

You have agreed to undertake the following duties on an acting up/ higher duties on a temporary basis with effect from (Date):

- 1. list the duties as detailed within the relevant job description.*
- 2.*
- 3.*

As advised, during the period that you are undertaking these duties, you will be paid a percentage of the difference between your current grade and that of the higher graded post or duties. This currently equates to X%.

As explained you will not be paid higher duties during periods of sickness absence, maternity leave or annual leave.

You will be contacted in advance of any changes to this arrangement.

Regards

Manager

**EXPRESSION OF INTEREST
ACTING UP/HIGHER DUTIES**

The following form should be completed when one or more persons have been identified as being suitable for consideration for acting up or undertaking higher duties on a temporary basis and for a period of 12 months or less.

SECTION 1: PERSONAL DETAILS	
<p>Surname:</p> <p>First Name(s):</p> <p>Employee Number:</p> <p>Job Title:</p> <p>Grade & Salary/Wage:</p> <p>Service:</p> <p>Location:</p> <p>Email:</p>	
SECTION 2: EDUCATION & TRAINING	
<p>Please provide details of the qualifications you hold that are relevant to the post for which you will be acting up or undertaking higher duties.</p>	

SECTION 3: SKILLS, KNOWLEDGE AND COMPETENCIES
Using bullet points, please detail the skills, knowledge and competencies that you have that are relevant to the post for which you will be acting up or undertaking higher duties.
SECTION 4: PERSONAL SKILLS/QUALITIES

Using bullet points, please detail the skills, knowledge and competencies that you have that are relevant to the post for which you will be acting up or undertaking higher duties.

SECTION 4: PERSONAL SKILLS/QUALITIES

Please use this section to discuss what personal qualities/life skills/life experiences you have which are relevant to the post for which you will acting up or undertaking higher duties.

SECTION 5: ADDITIONAL INFORMATION

Use this section to detail any other information that you wish to be considered

SECTION 6: DECLARATION

Please sign below to confirm that the information provided within this form is correct and accurate.

Signed: _____ **Date:** _____

(Print)

Signed: _____ **Date:** _____

(Signature)